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JOURNAL
OF THE
HOUSE OF REPRESENTATIVES
OF THE
IDAHO LEGISLATURE

ELEVENTH SESSION



*Convened on the second day of January, A. D. 1911, and
adjourned the fourth day of March, A. D. 1911,
at Boise, Idaho.*

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HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

ELEVENTH SESSION.

MONDAY, FIRST DAY, JANUARY 2, 1911.

Representatives' Chamber, Boise, Idaho

Monday, January 2, 1911, being designated by the Constitution for the meeting of the Legislature of the State of Idaho, at 12 00 o'clock, meridian, Mr James H Wallis, Chief Clerk, pro tem, called to order the Representatives-elect of the Eleventh Session of the State of Idaho

Honorable Robert Lansdon, Secretary of the State of Idaho, presented to the House a certified list of the members-elect, as follows

Certificate of Certified Copy

State of Idaho.

I, Robert Lansdon, Secretary of State of the State of Idaho, do hereby certify that the annexed is a full, true and complete list of the names of all persons elected as members of the House of Representatives of the State of Idaho at the General Election held in the several counties of the State on the 8th day of November, A D 1910, with the districts they represent as shown by the returns on file in my office, and as verified by the official canvass made by the State Board of Canvassers on the 28th day of November, A D 1910.

In testimony whereof, I have hereunto set my hand and affixed the Great Seal of the State

Done at Boise City, the capital of Idaho, this 2nd day of January, A D 1911

ROBERT LANSDON,
Secretary of State

List of Members of the House of Representatives of the State of Idaho.

Ada County—B P Bradford, Charles G Ceaser, Benjamin S Crow, Charles D Storey, Henry G Wilson

Blaine County—Edward B Arthur, Samuel Friend

Bannock County—John Hyde, Milo A Hendricks, Robert M. Terrell

Bear Lake County—Edgar M Allred, Thor C Nielsen.

Bingham County—George W Edgington, Peter G Johnston, Charles L Warnick

Boise County—Frank M Kirby

Canyon County—H. C Baldridge, Frank C Berry, Henry C Bradley, Ralph W. Oakes.

Cassia County—David A. Taylor.

Bonner County—Earl D. Farmin, Thomas J. Jones, H. M. Sanborn
 Custer County—Lawrence E. Glennon
 Elmore County—Charles H. Walker
 Fremont County—Wesley Gibson, George E. Hill, Christian Jenson,
 George A. Pincock
 Idaho County—John P. Elmers, Ernest L. Parker, George W. Stephens.
 Latah County—James K. Bell, Oscar Hellekson, William M. Morgan.
 Lemhi County—Edward J. Hammer
 Kootenai County—Robert C. Thompson, Roy L. Black, Charles W. Leaf, Bert G. Nelson
 Lincoln County—Vernon V. Bower, M. W. Smith
 Nez Perce County—Judd D. Jacobs, Adams G. Johnson, Axel E. Holmberg, James P. Sorenson, John J. Wood
 Oneida County—David Burrell, E. G. Davis
 Owyhee County—Dow Dunning
 Shoshone County—Albert H. Featherstone, Thomas McCabe, Amos M. Strode, Angus P. Hutton.
 Twin Falls County—Fred Nihart, J. M. Jayne
 Washington County—William H. Eckles, James W. Galloway
 The roll being called, all members-elect were present except Milo A. Hendricks and Robert M. Terrell of Bannock County and Adams G. Johnson of Nez Perce County
 All members present were sworn in by Chief Justice George H. Stewart of the Supreme Court of the State of Idaho
 The selection of Speaker being next in order, Mr. Charles D. Storey of Ada County was placed in nomination by J. K. Bell of Latah County, seconded by Johnston of Bingham
 William M. Morgan was nominated by Kirby of Boise County, seconded by Galloway
 Upon roll call the vote stood as follows: Storey, 33; Morgan, 22.
 Whereupon, the Honorable Charles D. Storey was declared duly elected Speaker of the Eleventh Session of the Idaho Legislature.
 The following members were appointed to escort the Speaker to the Chair: Edgington, Bell and Parker
 Chief Clerk Wallis administered the oath of office to the Speaker-elect.
 The Speaker took the chair and announced the selection of attaches was in order
 Johnston of Bingham nominated James H. Wallis of Fremont as Chief Clerk, seconded by Davis.
 Martin Cathcart, Jr., of Boise County was placed in nomination by Kirby of Boise, seconded by Galloway of Washington.
 Upon roll call the vote stood as follows: Wallis, 34, Cathcart, 22
 Whereupon James H. Wallis was declared duly elected.
 Davis of Oneida moved that the following attaches be elected to serve during the session:
 Chaplain—S. E. Yaggy of Canyon County.
 Assistant Chief Clerk—Howard Coburn of Nez Perce.
 Sergeant-at-Arms—General R. Miles of Kootenai County.
 Engrossing Clerk—Miss June Hull of Bear Lake County.
 Assistant Engrossing Clerk—Miss Stella Bartels of Shoshone County.
 Enrolling Clerk—Miss Nellie Mallory of Blaine County.
 Assistant Enrolling Clerk—Miss Albie Skippen of Boise County.
 General Committee Clerk—Mrs. Grace E. Fifer of Oneida County
 Doorkeeper—Henry Bloeser of Lemhi County.
 Janitor—William Courtney of Ada County.
 Pages—Peter R. Johnston of Bingham and Frank Shaw of Ada County.

Morgan of Latah County made a motion to vote on attaches individually Motion defeated

Kirby then nominated the following as attaches of the House:

Assistant Clerk—A Brossard of Fremont County.

Chaplain—Thomas F May of Shoshone County

Journal Clerk—Ernest V Anderson of Twin Falls County.

Assistant Journal Clerk—Miss A E Wragg of Shoshone County

Sergeant-at-Arms—James Turman of Fremont County

Doorkeeper—John Martin of Shoshone County

Messenger—Dempsey Bailey of Elmore County

Pages—Guy Shea of Owyhee County and August Moritz of Ada County.

Enrolling Clerk—Joseph Clably of Washington County

Engrossing Clerk—Grace McLaughlin of Blaine County

Motion by Davis put and the following attaches were declared duly elected

Chaplain—S E. Yaggy of Canyon County.

Assistant Chief Clerk—Howard Coburn of Nez Perce County

Sergeant-at-Arms—General R Miles of Kootenai County

Engrossing Clerk—Miss June Hull of Bear Lake County

Assistant Engrossing Clerk—Miss Stella Bartels of Shoshone County

Enrolling Clerk—Miss Nellie Mallory of Blaine County

Assistant Enrolling Clerk—Miss Albie Skippen of Boise County

General Committee Clerk—Grace E. Fifer of Oneida County

Door Keeper—Henry Bloeser of Lemhi County.

Janitor—William Courtney of Ada County

Pages—Peter R. Johnston of Bingham and Frank Shaw of Ada County

Davis moved that the following be named as additional employees and that their compensation be fixed as follows

Journal Clerk—L E Stamm of Canyon County, at \$5 00 per day

Assistant Journal Clerk—J J Huff of Twin Falls County, at \$5.00 per day.

Assistant Sergeant-at-Arms—H H. Sessions of Cassia County, at \$5 00 per day

Messengers—Ray Martin and Archie W French of Boise County, at \$3 00 per day.

Custodian of Cloak Room—C D. Creed of Ada County, at \$3 00 per day

Roll call was demanded, with the following result: Ayes—B. P. Bradford of Ada, Charles G Ceaser of Ada, Benjamin S. Crow of Ada, Charles D. Storey of Ada, Henry G. Wilson of Ada, Edward B Arthur of Blaine, Samuel Friend of Blaine, Edgar M. Allred of Bear Lake, Thomas C. Nielson of Bear Lake, George W. Edgington of Bingham, Peter G. Johnston of Bingham, Charles L. Wanick of Bingham, Earl D. Farmin of Bonner, Thomas J. Jones of Bonner, H. M. Sanborn of Bonner, H. C. Baldrige of Canyon, Frank C Berry of Canyon, Henry C. Bradley of Canyon, Ralph W. Oakes of Canyon, David A Taylor of Cassia, Lawrence E. Glennon of Custor, John P. Elmers of Idaho, Robert C. Thompson of Kootenai, Roy L. Black of Kootenai, Edward J. Hammer of Lemhi, James K. Bell of Latah, Vernon V. Bower of Lincoln, M. W. Smith of Lincoln, Judd D. Jacobs of Nez Perce, David Burrell of Oneida, E. G Davis of Oneida, Albert H. Featherstone of Shoshone, Thomas McCabe of Shoshone, Fred Nihart of Twin Falls Nays—John Hyde of Bannock, Frank M. Kirby of Boise, Charles H Walker of Elmore, Wesley Gibson of Fremont, George E. Hill of Fremont, Christian Jensen of Fremont, George A Pincock of Fremont, Ernest L. Parker of Idaho, George W. Stephens of Idaho, Charles W. Leaf of Kootenai, Bert G. Nelson of Kootenai, Oscar Hellekson of Latah, William M.

Morgan of Latah Axel E Holmberg of Nez Perce, James P Sorenson of Nez Perce John J. Wood of Nez Perce, Amos M Strode of Shoshone, Angus P Hutton of Shoshone, J M Jayne of Twin Falls, William H. Eckles of Washington, James W Galloway of Washington Ayes, 33 Nays, 22

The Speaker declared the attaches named in motion of Davis duly elected.

Senators Coates and Williams, committee from the Senate, announced that the Senate was in session

All attaches present were then sworn in

Crow of Ada, seconded by Davis, moved that a committee of three be appointed to notify the Governor that the organization of the House was complete, and they were ready to receive any message

The Speaker appointed Kirby of Boise, Baldrige of Canyon and Black of Kootenai.

Kirby made a motion that the Speaker appoint a committee of three to notify the Senate that House organization was completed

The Speaker appointed Crow of Ada, Morgan of Latah and Hammer of Lemhi to notify the Senate that the organization of the House was complete

Davis of Oneida moved that a committee of five on rules and government of the Eleventh Session be appointed to act with the Speaker Seconded by Morgan of Latah Speaker appointed Davis, Edgington, Morgan, Baldrige and Hill

Terrell and Hendricks, who were absent when the members-elect were sworn in, appeared before Speaker and were sworn in

On motion, the Speaker appointed the following committee to arrange for the drawing of seats Featherstone, Smith and Kirby

On motion, the House adjourned until Tuesday, January 3, 1911, at 10 o'clock a m

CHARLES D STOREY,

Speaker

JAMES H WALLIS
Chief Clerk

TUESDAY, SECOND DAY, JANUARY 3, 1911

Morning Session

Hall of the House of Representatives,
Boise, Idaho, January 3, 1911

House met pursuant to call Mr Speaker in the chair

Prayer was offered by the Chaplain

Roll call showed all members present except Glennon, who was excused

Reading of the Journal omitted

Johnson of Nez Perce, who was absent when the House organized, then came forward and was sworn in by the Speaker

Reports of Committees.

Committee appointed to wait upon the Governor reported that they had performed that duty and that the Governor would appear before the House with his message at 2 p. m. today

Committee report was accepted and committee discharged.

Committee appointed to notify the Senate that the House was fully organized reported that they had performed that duty.

Report accepted and the committee discharged

Report on Selecting Seats.

Committee on the selection of seats for members reported the following method of selection.

We recommend that all seats be first vacated, that all civil war veterans be allowed their choice. That if there be any members

whose hearing is defective that they then be allowed their choice, and that all other members then make selection, that the names of those remaining be written on slips of paper and placed by the Chief Clerk in a box and drawn one by one, the selection of seats to be made as names are drawn

ALBERT H FEATHERSTONE,
M W SMITH

Kirby of Boise moved a minority report to place all names in box, draw them one by one and make selection of seats as the names were drawn Seconded by Morgan of Latah

Sanborn moved as a substitute motion that the majority report be adopted Lost All minority motions were then withdrawn and it was moved by Davis and seconded by Berry that the original report be adopted

Morgan moved to amend the majority report, giving choice of seats to old soldiers and deaf persons, but all other names to be put in a box and drawn and selection be made as names are called

Motion duly seconded and carried

The drawing of seats then took place

Committee on Printing.

The Speaker then announced the Committee on Printing as follows Jones of Bonner, Allred of Bear Lake and Gibson of Fremont

Committee on Joint Assembly.

Edgington moved that a committee of three be appointed by the Speaker to invite the members of the Senate to meet with the House members in the Hall of Representatives at 2 p m to hear the message of the Governor Duly seconded and carried Speaker appointed as that committee, Edgington, Parker and Bell

Davis introduced the following resolution

Concurrent Resolution No. 1 by Davis.

Resolved by the House, the Senate concurring, that the two Houses of the Legislature meet in joint session in the Hall of Representatives on this day, January 3, 1911, at 2 o'clock p m., for the purpose of hearing the Governor's message

House resolution duly seconded and carried

Appointment of Secretary to Speaker.

Moved by Featherstone and seconded by Crow that the Speaker be authorized to select a secretary for himself and that the compensation of the secretary selected be fixed at five (\$5 00) dollars per day Carried

The Speaker then appointed Mrs Lucille Walker as his secretary

Mrs. Walker was sworn in by the Speaker

Moved by Morgan that the House adjourn until 1 55 this afternoon Carried

Afternoon Session, Second Day.

Mr Speaker in the chair.

Roll call showed all members present except Johnston of Bingham, who was excused

A message from the Senate announced that the House Joint Resolution No. 1 by Davis had been adopted by the Senate.

Committee appointed to ask the Senate to sit in joint session with the House during the reading of the Governor's message reported, through Edgington, that they had performed the duty assigned them.

On motion committee was discharged

The Sergeant-at-Arms was instructed to notify the Senate that the House was ready to receive them. The Senate was admitted, whereupon the Legislature went into joint session;

Joint Session.

The roll call of the Senate showed all members present, except Senator Gooding, excused, and Senator Pugmire, absent. Joint roll call showed all members present except Senators Gooding and Pugmire and Representative Johnston of Bingham.

The message from the Governor was then read by Chief Clerk Wallis of the House and Secretary Dempster of the Senate.

After the reading of the message it was moved by Senator Macbeth of Custer County, seconded by Representative Morgan of Latah County, that 5,000 copies of the message be printed for use of the Legislature. Motion carried.

Moved by Senator Haight, and seconded by Senator Coates, that the Joint Session be now dissolved. Motion carried.

Moved and seconded that the House adjourn until tomorrow morning at 10 o'clock a. m. Motion carried.

CHARLES D. STOREY,
Speaker.

JAMES H. WALLIS
Chief Clerk.

WEDNESDAY, THIRD DAY, JANUARY 4, 1911.**Morning Session.**

Hall of the House of Representatives,
Boise, Idaho, January 4, 1911.

House met pursuant to call. Mr. Speaker in the chair.

Prayer was offered by the Chaplain.

Roll call showed all members present, except Johnston of Bingham, who was excused.

Reading and correction of the Journal for the first day was then ordered. Unanimous consent was given to change the record to show Dunning as voting nay on attaches elected the first day, making vote on attaches: Ayes, 32; Nays, 22. Journal was corrected to show Terrell and Hendricks as being sworn in as members on the first day. Correction was also made of the names of several members.

Journal for second day was then read and approved.

Reports of Committees.

Davis, Chairman Committee on Rules, reported that the committee had formulated a set of rules for the government of the House

Moved by Morgan and seconded by Glennon that the report be received and considered.

Motion carried.

Rules were then read by the Chief Clerk.

Moved by Dunning that the House resolve itself into a Committee of the Whole for the consideration of these rules.

Motion carried.

Committee of the Whole.

The House then went into Committee of the Whole, with Davis in the chair.

House in Regular Session.

Davis, Chairman of the Committee of the Whole, reported that the committee had considered the report of the Committee on House Rules, and reported progress, and asked leave to sit again for the further consideration of same.

Motion carried.

Moved by Jensen and seconded by Glennon, that the Chief Clerk be, and is hereby authorized, to make requisition on the Auditor of State for the sum of ten (\$10.00) dollars in stamps and wrappers for each

member of the House and the Chief Clerk for their use during the session.

Motion carried.

Moved by Featherstone, and seconded by Crowe, that Miss Edna Rogers be appointed Assistant Journal Clerk and that her compensation be fixed at \$5 per day.

Motion carried.

Miss Rogers was thereupon escorted to the Speaker's desk and sworn in by the Speaker.

Message From the Senate.

The following message was received from the Senate:
To the Honorable Speaker of the House of Representatives, Eleventh Session of the Legislature of the State of Idaho:

I have the honor to inform you that the President of the Senate has this day appointed Senators Whitcomb, St. Clair and Fisher as the Senate members of the Joint Committee on Rules.

CHARLES J. LISLE,

Assistant Secretary of the Senate.

Moved by Morgan that a committee of three be appointed by the Speaker to act with a like number of Senators as a Committee on Joint Rules. Seconded by Dunning.

Motion carried.

On motion, House adjourned until 2 p. m. this afternoon.

Afternoon Session, Third Day.

Hall of the House of Representatives,
Boise, Idaho, January 4, 1911.

The House of Representatives assembled at 2 p. m. and was called to order by the Speaker.

Roll call showed all members present except Johnston of Bingham, who was excused.

Davis moved that the House at this time further consider the rules for the government of the House during the Eleventh Session.

Motion carried.

Black offered to amend Section 1, Rule 34, by the addition of the following: "and each amendment shall show thereon the name of the Representative who introduced the amendment." Motion seconded by Hanmer. Roll was called on the adoption of the amendment, as follows: Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Edgington, Eimers, Farmin, Featherstone, Friend, Glennon, Hanmer, Jacobs, Johnson, Jones, McCabe, Nielsen, Nihart, Oakes, Sanborn, Smith, Taylor, Thompson, Warnick, Wilson, Mr. Speaker. Nays—Dunning, Eckles, Galloway, Gibson, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jayne, Jenson, Kirby, Leaf, Morgan, Nelson, Parekr, Pincock, Sorenson, Stephens, Strode, Terrell, Walker, Wood Absent, -1. Ayes, 34. Nays, 24.

And so the motion prevailed.

Bell offered to amend Rule 42 as follows "The Chief Clerk shall be an ex-officio member of said committee." Seconded by Davis.

Motion carried.

Moved by Davis, and seconded by Crow, that the report of the Committee of the Whole be received and the committee be discharged from further consideration of the report of the Committee on House Rules.

Motion carried.

Moved by Crow, and seconded by Hanmer, that the report of the Committee on Rules, as amended by the House, be adopted.

The roll was called on the adoption of this motion, with the following result: Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black,

Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Edgington, Elmers, Farmin, Featherstone, Friend, Glennon, Hanmer, Jacobs, Johnson, Jones, McCabe, Nielsen, Nihart, Oakes, Sanborn, Smith, Taylor, Thompson, Warnick, Wilson, Mr. Speaker. Nays—Dunning, Eckles, Galloway, Gibson, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jayne, Jenson, Kirby, Leaf, Morgan, Nelson, Parker, Pincock, Sorenson, Stephens, Strode, Terrell, Walker, Wood. Absent and not voting, 1. Ayes, 34. Nays, 24.

Motion prevailed and rules as amended were adopted.

Committee on Mileage.

The Speaker then announced the following Committee on Mileage: Black, Bower and Jensen.

Morgan moved that the Committee on Printing be authorized to have 300 copies of the House Rules printed.

Motion carried.

Moved by Kirby, and seconded by Morgan, that the Committee on Mileage be instructed to swear each Representative as to the number of miles traveled, and whether or not he traveled on a free pass, according to a provision provided by the Constitution of the State of Idaho.

The roll was called on the adoption of the motion as follows: Yeas—Dunning, Eckles, Galloway, Gibson, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jayne, Jenson, Kirby, Leaf, Morgan, Nelson, Parker, Pincock, Sorenson, Stephens, Strode, Terrell, Walker, Wilson, Wood. Nays—Allred, Arthur, Baldridge, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Edgington, Elmers, Farmin, Featherstone, Friend, Glennon, Hanmer, Jacobs, Johnson, Jones, McCabe, Nielsen, Nihart, Oakes, Sanborn, Smith, Taylor, Thompson, Warnick, Mr. Speaker. Ayes, 25. Nays, 33. Absent, 1.

And so the motion was declared lost.

Moved by Crow, and seconded by Black, that each member be requested to furnish the Committee on Mileage: 1. The name of the place where he resides; 2. The shortest usually traveled route from such place to the capital; 3. The total mileage as determined from the most reliable sources; 4. That such statement be signed; 5. That the committee verify the information furnished by reference to the most reliable sources.

Roll call showed the following result: Yeas—Allred, Arthur, Baldridge, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Elmers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Jones, Kirby, Leaf, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker. Nays—Morgan. Yeas, 57. Nays, 1. Absent, 1.

And so the motion prevailed.

Edgington asked unanimous consent to introduce a bill providing for the appropriation of \$60,000 for general expenses of the Legislature.

Introduction of House Bills, Joint Resolutions and Memorials.

H. B. NO. 1, BY EDGINGTON.

An Act to provide for the payment of officers, members and employes and for the general expenses of the Eleventh Session of the Legislature of the State of Idaho, and declaring an emergency whereby this Act shall go into effect immediately upon its approval.

On motion, House adjourned to meet at 10 a. m. Thursday.

CHARLES D. STOREY,

JAMES H. WALLIS
Chief Clerk.

Speaker.

MORNING SESSION, FOURTH DAY, JANUARY 5, 1911.

Hall of the House of Representatives,
Boise, Idaho, January 5, 1911.

House met pursuant to call. Mr. Speaker in the chair.

Prayer by the Chaplain, Rev Yaggy.

Roll call showed all members present except Johnston of Bingham, who was excused.

Journal of third day was then read and approved.

Moved by Davis, seconded by Ceaser, that the rules, as adopted by the House on January 4, and which did not appear in yesterday's Journal, be printed in today's Journal.

Motion carried.

Rules of the House of Representatives, Eleventh Session.**Call to Order.**

Rule 1. The Speaker shall take the Chair at the time to which the House stands adjourned, and the House shall be then called to order, and after prayer by the Chaplain, the roll of the members called, and the names of absentees shall be entered upon the Journal of the House.

Reading of the Journal.

Rule 2 Upon the appearance of a quorum the Journal of the preceding day shall be read by the Clerk and any mistakes therein shall be corrected by the House.

Call of the House.

Rule 3 One-third of the members present may order a call of the House and cause absent members to be sent for, but a call must not be made after voting has commenced. A call being moved, the Speaker shall require those desiring the "call" to rise, and if one-third of the members shall rise, the call shall be ordered.

The call being ordered, the Sergeant-at-Arms shall close the door and no member shall be allowed to leave the room except by unanimous consent.

The Clerk shall call the roll and furnish the Sergeant-at-Arms with a list of those members who are absent without leave, and that officer shall proceed forthwith to find and bring in such absentees.

While the House is under call, no business shall be transacted except to receive and act upon the report of the Sergeant-at-Arms. And no motion shall be in order except a motion to suspend further proceedings under the call, which shall require a majority of the members present.

Upon the report of the Sergeant-at-Arms, showing that all the members who were absent without leave, naming them, are present, the call shall be at an end and the doors shall be opened and the business or motion pending at the time the call was made shall be proceeded with.

Decorum.

Rule 4. The Speaker shall preserve order and decorum and decide questions of order, subject to an appeal to the House.

Speaker Votes.

Rule 5 The Speaker may vote upon all questions taken by ayes and nays (except on appeals from his decision).

Decorum at Adjournment.

Rule 6. When the House adjourns the members shall keep their seats until the Speaker announces the adjournment.

Obtaining Floor.

Rule 7 Every member, previous to his speaking, shall rise from his seat and respectfully address the Speaker, and remain standing

in his place before proceeding to speak until he is recognized by the Chair.

Right to Open and Close Debate.

Rule 8. When two or more members shall rise at once the Chair shall designate the member who is first to speak, but in all cases the member making the motion or the chairman of the committee making the report which is under consideration, shall have the privilege of opening and closing the debate thereon.

Limitation on Debate.

Rule 9. No member shall speak more than twice on the same subject, nor shall any member occupy the floor for longer than one hour at a time without leave of the House, nor shall any member speak more than once, except for explanation, until every member choosing to speak on the subject shall have spoken.

Motions, Submission Of.

Rule 10. No motion shall be debated or put unless the same be seconded. It shall be stated by the Speaker before the debate, and any such motion or any amendment shall be reduced to writing if the Speaker or any member desires it.

Withdrawal of Motions.

Rule 11. After a motion shall have been stated by the Speaker, it shall be deemed to be in the possession of the House but may be withdrawn at any time by the consent of the House before amendment or decision; but all motions, resolution and amendments shall be entered upon the Journal, whether rejected or adopted.

Privileged Questions, Precedence Of.

Rule 12. When a question is under debate no motion shall be received but to adjourn, to lay on the table, for the previous question, to postpone to a day certain, to commit, to amend, to postpone indefinitely, which several motions shall have precedence in the order which they stand arranged.

To Adjourn.

Rule 13. A motion to adjourn shall always be in order, except when a member is addressing the Chair or a vote is being taken, or when the House is under call, as provided in Rule 3.

Previous Questions.

Rule 14. Upon a motion for the previous question being ordered by a majority of the members present, if a quorum, the effect shall be to cut off debate and bring the House to a direct vote upon the pending question. It shall be in order, pending the motion for, or after the previous question shall have been ordered on its passage, for the Speaker to entertain and submit a motion to commit, with or without instructions, to a standing or select committee.

Negative Vote on Previous Questions.

Rule 15. When the previous question is decided in the negative, it shall leave the main question under debate for the residue of the sitting, unless sooner disposed of.

Questions of Order Undebatable.

Rule 16. All incidental questions of order arising after a motion is made for the previous question during the pending of such motion, or after the House shall have determined that the main question shall be put, shall be decided, whether an appeal or otherwise, without debate.

Petitions, Memorials, Etc.

Rule 17. Petitions, memorials and other papers addressed to the House shall be presented by the Speaker.

Members Must Vote.

Rule 18. Every member present within the bar of the House shall vote on any question put, unless excused by the House.

Courtesy.

Rule 19. When the Speaker is putting the question no member shall walk out or across the hall, nor leave during the roll call; nor when a member is speaking shall any person entertain any private discourse or pass between him and the Chair.

Division of Question.

Rule 20. If a question in debate contains several points the House may order the same divided.

Questions of Order.

Rule 21. A member called to order shall immediately sit down, unless permitted to explain, and the House, if appealed to, shall decide the case.

If there be no appeal, the decision of the Chair shall prevail. On an appeal no member shall speak more than twice without leave of the House, nor more than ten minutes at a time.

When a member is called to order for offensive language there shall be no debate.

Introduction of Bills.

Rule 22. Every bill and joint resolution shall be introduced upon the report of the committee, or on a call for bill and joint resolutions, or by a motion for leave.

Bills in Duplicate—Printing Of.

Rule 23. All bills, concurrent resolutions and joint memorials introduced, either by a member, or a committee, shall be in duplicate, one copy of which shall have endorsed thereon the word "Original" and shall be retained by the House. The duplicate thereof shall have endorsed thereon the word "Copy" and the same shall be sent to the printer and his receipt taken therefor, which bill must be returned to the Printing Committee at the time the printed bill is delivered to the House.

Endorsement of Bills. Entered on the Journal.

Rule 24. Every bill before being introduced shall have endorsed thereon the title of the same and every bill, concurrent resolution or joint memorial shall have thereon the name of the members introducing it, and when introduced by a committee, the name of such committee shall be endorsed thereon. The number, author and title of all bills, concurrent resolutions and joint memorials shall be entered on the Journal.

Amendments Underscored.

Rule 25. When any amendment introduced into this House intended to amend any part or parts of a printed bill shall have passed, such amendment when engrossed prior to third reading and final passage, shall be underlined or underscored, so that the new and amendatory matter shall be easily discerned.

Amendatory Bills.

Rule 26. All bills introduced into this House which are intended to amend existing statutes, shall have the words which are amendatory to such statute underlined, or underscored. Where a bill is introduced by way of amendment, to strike out any part of an existing statute, space with stars therein shall be provided in the printed bill.

Bills to Become Law.

Rule 27. No law shall be passed except by a bill, nor shall any bill be put upon its final passage until the same, with amendments thereto, shall have been printed for the use of the members, nor

shall any bill become a law unless the same shall have been read on three several days, and if amended, the bill as amended shall be read on three several days in the House, previous to the final vote thereon: Provided,

Urgency.

In case of urgency, two-thirds of the House may, upon a vote of ayes and nays, dispense with this provision. On the final passage of all bills, they shall be read at length, section by section, and the vote shall be by ayes and nays upon each bill separately, and shall be entered upon the Journal, and no bill shall become a law without the concurrence of the members present

Reference of Bills.

Rule 28. All bills, memorials, orders and resolutions requiring the approval of the Governor shall, immediately after the introduction thereof, be referred by the Speaker to the Printing Committee and ordered printed. When such bill, memorial, order or resolution shall have been reported by said committee, as correctly printed, it shall after the second reading thereof, be referred by the Speaker to its appropriate committee, unless otherwise ordered by the House.

If the same shall then be reported without amendment it shall pass to the third reading unless otherwise ordered; if with amendment, it shall go to a Committee of the Whole House.

Engrossment of Bills.

Rule 29. All bills shall be properly engrossed in long hand before their final passage.

Bills.

Rule 30. The question after consideration in committee of the whole of a bill or other paper originating in the House shall be: "Shall it be ordered and engrossed and passed to a third reading?" And upon every such bill or paper originating in the Senate: "Shall it be read a third time?"

No Amendments on Third Reading.

Rule 31. No amendments shall be received on third reading, but all bills and resolutions may be recommitted at any time previous to their passage.

Amendments Must Be Germane.

Rule 32. No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment. No bill or resolution shall at any time be amended by annexing thereto or incorporating therewith any other bill or resolution pending before the House.

Chairman of Committee of Whole.

Rule 33. In forming the Committee of the Whole House the Speaker shall appoint a chairman to preside.

Procedure in Committee of the Whole.

Rule 34. (1) Unless the committee shall otherwise order, bills committed to the Committee of the Whole shall be first read through, and then read by sections and clauses, leaving the title to be last considered. When general debate is closed by order of the committee any member shall be allowed five minutes to explain any amendment that he may offer, after which the member who shall first obtain the floor shall be allowed to speak five minutes in opposition to it, and there shall be no further debate thereon; but the same privilege of debate shall be allowed in favor of and against any amendment that may be offered to an amendment, and neither an amendment nor an amendment to an amendment shall be withdrawn by the mover thereof unless by unanimous consent of the committee. All amendments

shall be noted in writing and reported to the House by the Chairman, and each amendment shall show thereon the name of the representative who introduced the amendment.

Motion to Rise.

(2) The simple motion that the committee shall rise shall always be in order, except when a member has the floor, and shall be decided without debate.

Amendments.

(3) Amendments are not in order until after general debate has been closed

Right to Amend.

(4) Before general debate is closed it is not in order to move that the committee rise and report the bill if any member demands the right to amend.

To Strike Out Enacting Clause.

(5) The motion to strike out the enacting clause shall not be made until after the first section or clause of the bill has been read for amendment, and is debatable five minutes on either side

Bills Changed by Senate.

Rule 35. Any House Bill which passes the House and is materially changed by amendment by the Senate and then sent back to the House, must go through the same procedure as to reading and final vote as if it were an original bill. Note: Cohn vs Kingsley, 5 Idaho, 428.

Filling Blanks.

Rule 36. (1) All questions, whether in committee, or in the House, shall be put in the order they are moved, except in the case of privileged questions, and in filling of blanks, the largest sum and longest time shall be put first.

Appropriation Bills.

(2) Upon the introduction of all appropriation bills, containing more than one item or appropriation, the item or appropriation calling for the largest sum shall be placed first, and the other items following in a diminishing scale, the smallest being placed last, in which order they shall be considered by the House or Committee of the Whole if consideration be given to particular items.

Senate Bills.

Rule 37. A similar mode of procedure shall be observed with bills which have originated in and passed the Senate as with bills originating in the House, except they shall not be printed

Reconsideration.

Rule 38. When a motion has been made and carried or lost, it shall be in order for any member of the majority, on the same or succeeding day, to move for the reconsideration thereof; which motion shall not be heard after such succeeding day, and such motion shall take precedence of all other questions except the consideration of a conference report, or a motion to adjourn; but if the motion be not made on the same day the member intending to move such reconsideration shall give notice of such intention on the day the question to be reconsidered is voted upon: Provided, That on and after the fiftieth day of the session the motion to reconsider can be only made on the same day the vote to be reconsidered is taken. A motion for reconsideration shall be decided by a majority of votes

Rules of House Apply in Committee of Whole—Exception.

Rule 39. The Rules of the House shall be observed in Committee of the Whole House, as far as may be applicable, except that the "Ayes"

and "Nays" shall not be called, nor the previous question enforced. The Committee of the Whole shall not consider any appeal from a decision of the Chairman, but in case a member is dissatisfied with any such decision, the committee shall at once rise and report the question to the House for determination, when the Speaker shall rule upon the point, subject to appeal to the House, as in other cases.

Standing Committees.

Rule 40. Standing committees shall be appointed by the Speaker as follows:

	Members
Agriculture and Horticulture.....	5
Appropriations	7
Banks and Banking.....	5
County Lines and County Boundaries.....	7
Charitable and Penal Institutions.....	7
Cities, Towns and Other Municipal Incorporations....	5
Education	7
Educational Institutions.....	7
Engrossed and Enrolled Bills.....	5
Federal Relations and Memorials to Congress.....	5
Forests and Forestry.....	5
Fish and Game.....	7
Private Corporations.....	5
Immigration, Labor and Statistics.....	5
Irrigation, Reservoirs and Reclamation.....	7
Judiciary	7
Journal	5
Live Stock.....	5
Mileage and Legislative Expenses.....	3
Mines and Mining.....	5
Military and Indian Affairs.....	7
Medicine, Surgery and Pharmacy.....	5
Printing	5
Privileges and Election.....	7
Public Buildings and Grounds.....	5
Public Printing and Supplies.....	5
Public Health.....	3
Revenue and Taxation (Joint).....	7
Railroads, Carriers and Other Public Corporations....	7
Roads, Bridges and Ferries.....	5
Rules and Order of Business.....	5
School and Public Lands.....	5
State Affairs.....	7
State Library.....	3
Ways and Means.....	7
Warehouse, Grain, Grading and Dealing.....	5
Waterways and Drainage.....	5

Chairman of Committee.

Rule 41. The first named member of each committee shall be the Chairman, and in his absence, or having been excused by the House, the next named member, and so on, as often as the case may happen, shall act as Chairman.

On Engrossment.

Rule 42. (1) The Committee on Engrossed and Enrolled Bills shall examine all bills after they are engrossed and report the same to the House correctly engrossed before their third reading. The Chief Clerk shall be an ex-officio member of said committee. Such committee may report at any time.

On Journal.

(2) The Committee on Journal shall examine and verify the Journal prior to its reading and approval, and verify the correctness thereof to the House.

Select Committees.

Rule 43. Select committees to whom reference shall be made shall in all cases report a state of facts and their opinion thereon to the House.

On Enrollment.

Rule 44. The Committee on Engrossed and Enrolled Bills shall examine all the House Bills and Joint Resolutions which have passed the two Houses, and when reported correctly enrolled, they shall be presented to the presiding officers of the House and Senate for their signatures, and when so signed, to the Governor for his approval. Said committee may report at any time.

Name of Mover on Journal.

Rule 45. In all cases where a bill, order or resolution shall be entered upon the Journal of the House, the name of the member moving the same shall be entered upon the Journal.

Calendar.

Rule 46. The Speaker shall cause the Clerk of the House to make a list of all bills, resolutions, reports of committees, and other proceedings of the House, which are committed to a Committee of the Whole House, and which are not made the order of the day for any particular day, and to number the same, which list shall be called (the general order of the day), and they shall be taken up in the order in which they are numbered, unless otherwise ordered by a majority of the House, and the Clerk shall also keep a book showing the situation and progress of bills.

Order of Business.

Rule 47. After calling the House to order, the order of business for the day shall be as follows:

1. Call to order by the Speaker.
2. Prayer by the Chaplain.
3. Calling roll of members.
4. Reading and approval of Journal.
5. Unfinished business.
6. Presentation of petitions and communications.
7. Report of standing committees
8. Report of select committees
9. Motions and resolutions.
10. Introduction of Bills, Concurrent Resolutions and Joint Memorials.
11. Consideration of messages from the Governor.
12. Consideration of messages from the Senate.
13. First reading of House Bills, Concurrent Resolutions and Joint Memorials.
14. First reading of printed amendments to House Bills
15. Second reading and reference of House Bills, Concurrent Resolutions and Joint Memorials.
16. Second reading of printed amendments to House Bills.
17. Third reading of House Bills, Concurrent Resolutions and Joint Memorials and final action thereon.
18. First reading of Senate Bills, Concurrent Resolutions and Joint Memorials.
19. Second reading and reference of Senate Bills, Concurrent Resolutions and Joint Memorials.
20. Third reading of Senate Bills, Concurrent Resolutions and Joint Memorials and final action thereon.

21. Consideration of general calendar.
22. Miscellaneous business.
23. Announcement of committee meetings.
24. Adjournment.

Conference Committee.

Rule 48. Whenever the report of any committee of conference contains several modifications or amendments, any member may have the same divided and the question of concurrence taken separately upon each modification or amendment.

Consideration of General Order.

Rule 49. When the House has arrived at the General Order of the Day, it shall go into Committee of the Whole upon each order or particular order designated by a vote of the House, and no other business shall be in order until the whole are considered and passed, or the committee rise, and unless a particular bill is ordered up, the Committee of the Whole shall consider, act upon, or pass the general order, according to the order of their reference.

Speaker May Leave Chair.

Rule 50. The Speaker may leave the Chair and appoint a member to preside, but not for a longer time than one day, except by leave of the House.

Standard Rules.

Rule 51. The Rules of Parliamentary practice, adopted by the House of Representatives of the United States, shall govern the House in all cases to which they are applicable, and in which they are not inconsistent with the Standing Rules and Orders of the House and the Joint Rules and Orders of the Senate and House of Representatives.

Suspension of Rules.

Rule 52. No rule of the House shall be suspended, altered or amended without the concurrence of two-thirds of the members of the House.

Opening Hour.

Rule 53. The hour of daily meeting of the House shall be 10 o'clock in the forenoon, unless the House directs otherwise.

Ayes and Nays.

Rule 54. The ayes and nays shall not be ordered unless demanded by three members, except upon the final passage of bills, joint resolutions, memorials and suspension of the Constitution (except as provided in Rule 7), in which case the ayes and nays shall be had without any demand.

Reports of Committees.

Rule 55. In case all of the members of any committee are required or entitled to report on any subject referred to them, and can not agree upon any report, the majority and minority may each make a special report, and any member dissenting in whole or in part from the reasoning and conclusions of both majority and minority may also present the House a statement of his reasonings and conclusions, and all reports, if decorous in language and respectful to the House, shall be entered at length on the Journal.

Call for Bills, Resolution or Memorial.

Rule 56. When any bill, resolution or memorial has been in the hands of any committee for three days, any member of the House may, upon the floor of the House, call for the same. Whereupon it shall be the duty of said committee to report said bill, resolution or memorial to the House under the order of business of committee reports not later than the following morning session.

The House may, however, upon motion, grant said committee further time.

Time Limit for Reporting Bills.

After the forty-fifth day of the session, any bill, resolution or memorial must be reported forthwith out of the committee to which it has been referred, with or without recommendation, upon the request of any member.

Smoking.

Rule 57. No smoking shall be allowed in the Representative Chamber, or gallery.

Clerk Not to Be Annoyed.

Rule 58. No member or any person shall remain by the Clerk's desk when the ayes and nays are being polled.

Clearing Galleries.

Rule 59. In case of any disturbance or disorderly conduct in the lobby or gallery, the Speaker or the Chairman of the Committee of the Whole shall have power to order the same to be cleared.

Leave of Absence.

Rule 60. No member or officer of the House, unless from illness, or other cause, he be unable to attend, shall absent himself from the sessions of the House during the entire day without first having obtained leave of absence, and no one shall be entitled to draw pay while absent more than one day without leave.

Chief Clerk Custodian of Papers.

Rule 61. Neither the Chief Clerk nor his assistant shall permit any records or paper belonging to the House to be taken out of their custody otherwise than in the regular course of business, and doing so shall be subject to reprimand by the Speaker, and such further penalty as the House may impose.

The Chief Clerk shall report any missing papers to the Speaker; shall have general supervision of all clerical duties appertaining to the business of the House, shall perform, under direction of the Speaker, all duties pertaining to the business of his office, and shall also keep a book showing the situation and progress of all bills, memorials and joint resolutions.

Committee on State Affairs.

Rule 62. It shall be the duty of the Committee on State Affairs to examine into the accounts and expenditures of the State Auditor, State Treasurer, and all other State officers entrusted with the custody or disbursement of any portion of the public moneys; to inquire and report particularly on or before the 30th day of the session, whether or not the expenditures made by each and all of such officers are justified under the law; whether or not all claims from time to time satisfied and discharged by such officers are supported by sufficient vouchers, establishing the justice of such claims both as to character and amount; whether or not all such claims have been discharged out of the funds appropriated therefor; and whether or not all moneys have been disbursed in conformity with the appropriation laws, and whether or not all moneys reported to be on hand are so on hand and to the credit of the various funds as reported, and whether or not the notes, bonds and securities in which any portion of the public moneys are reported to be invested are on hand as reported and whether or not the same are proper and secure investments and securely kept. And it shall be, moreover, the duty of said committee to report from time to time, whether any and what retrenchment can be made in the expenditures of any department or office of the State without detriment to the public service, and to report from time to time such recommendations and bills as may be necessary to add to the economy and accountability of any officer

of the State, and said committee shall make such recommendations as to the investment of public moneys and the exchange or sale of any of the bonds or securities held by the State as in their judgment public interest requires.

Notice of Committee Meetings.

Rule 63. The chairman of each standing committee shall lay on the Clerk's desk, to be read previous to adjournments, notice of the time and place of meeting of such committee.

Committee Rooms.

Rule 64. No one except members and attaches of the House shall be allowed in the committee rooms of the House during session except by permission of the Speaker, or the chairman of the committee then in session.

Privileged Persons.

Rule 65. Justices and ex-Justices of the Supreme Court, Judges and ex-Judges of the District Court, present and ex-State officers, members of the present and past Legislatures of this State and Territory, State officers of other States, members of the Constitutional Convention, and members of the United States Congress, shall be admitted to a seat upon the floor of the House.

Committee on Rules.

Rule 66. It shall be the duty of the Standing Committee on Rules to report and recommend the adoption of any special rule when the business of the House seems to the committee to require it.

Undebatable Questions.

Rule 67. The following questions shall be decided without debate:

To adjourn.

To lay on the table.

To suspend the rules.

For the previous question.

Any question in regard to the Order of Business.

Extending or limiting debate.

Withdrawing a motion.

Taking up business out of its proper order.

Attaches.

Rule 68. Attaches of the House shall not be permitted to lobby for or against any bill or measure pending

Rule 69. After the forty-fifth day of the session no bill shall be introduced in the house except by consent of two-thirds of the members.

Respectfully submitted,

CHARLES D. STOREY.

E. G. DAVIS.

GEORGE W. EDGINGTON.

H. C. BALDRIDGE.

WILLIAM M. MORGAN.

GEORGE E. HILL.

Announcement of Committees.

The Speaker announced the following as a Committee on Joint Rules: Davis, Baldrige and Edgington.

The following communication was received from The Boise Press Club:

To the members of the House of Representatives, the State of Idaho,
Session of 1911.

Gentlemen:

The Boise Press Club hereby extends to the members of the 1911 Session of the House of Representatives of the State of Idaho a cordial invitation to visit the club rooms in the Boise & Interurban

Railway Station, Seventh and Bannock streets, and asks the members to make such use of the rooms, reading matter, etc., as may suit their convenience.

Very respectfully,

R. A. READ,
Secretary.

Reports of Standing Committees.

The Committee on Printing submitted the following report:

We, your Committee on Printing, beg to submit the following report:

Having received bids from the various printing houses of the city for printing the House Bills, we find that of the Capital News Publishing Company to be the lowest bid.

We, therefore, beg to report that we have awarded the printing for the session to the Capital News Publishing Company.

We herewith attach original bids received and make them part of this report.

THOMAS J. JONES,
EDGAR M. ALLRED,
WESLEY GIBSON,
Committee on Printing.

Boise, Idaho, January 4, 1911.

To the House Printing Committee,

Boise, Idaho,

Gentlemen:

We hereby offer to do the printing of the House Bills at the rate of 90 cents per page, for 300 copies, and 15 cents per page for each additional 100 copies, to be printed on 60 lb book paper, small pica type, 17 lines to the page, punched for filing.

Respectfully,

CAPITAL NEWS PUBLISHING COMPANY,
R. S. Sheridan, Manager.

Boise, Idaho, January 4, 1911.

Printing Committee, House of Representatives, Thomas J. Jones,

Chairman:

Gentlemen of the Committee:

We submit as our bid for the printing of the House Bills, furnishing 300 copies of each page, at \$1.25 a page; and for each extra 100 copies ordered, \$.08 a page.

Respectfully submitted,

STATESMAN PRINTING COMPANY,
Calvin Cobb, President.

Moved by Jones, and seconded by Gibson, that the report of the Committee on Printing be adopted.

Moved by Morgan, as a substitute motion, that action on the report of the Committee on Printing be deferred until the next day's session of the House. Seconded by Dunning.

Motion lost.

The question was then on the adoption of the report of the Committee on Printing as moved by Jones.

Motion carried.

Motions and Resolutions.

Black introduced the following resolution, and moved its adoption. Seconded by Hanmer:

WHEREAS, The Democratic party, through its campaign managers, committees, speakers and newspapers during the campaign of 1910 made charges alleging mismanagement of public affairs by Republican officials composing certain State Boards, and,

WHEREAS, It is the desire of the Republican party of the State,

speaking through its Representatives in the State Legislature, to have said charges thoroughly investigated; now, therefore,

BE IT RESOLVED, That a committee of five be appointed by the Speaker to investigate said charges so made by the Democratic party, or other charges that may be brought against any board or department of State; and that said committee be authorized to bring before it, witnesses, records and documents, or other information that may bear upon said matters, by any legitimate procedure, and report the result of their findings in writing to the House.

Moved and seconded that House take a recess of fifteen minutes.
Motion carried.

House Again in Session.

Mr. Black, with the consent of his second, withdrew the former resolution offered by him, and offered instead the following:

CONCURRENT RESOLUTION NO. 2, BY BLACK.

WHEREAS, Certain charges have been made alleging mismanagement of public affairs by certain State Officials composing certain State Boards; and,

WHEREAS, It is the desire of the people of the State of Idaho, speaking through their Senators and Representatives in the State Legislature, to have said charges thoroughly investigated;

NOW, THEREFORE, Be it resolved by the Legislature of the State of Idaho, that a committee of eight, five to be named by the Speaker of the House, and three to be named by the President of the Senate, be appointed to investigate said charges so made, or other charges that may be brought against any board or department of State; and that said committee be authorized to bring before it, witnesses, records and documents, or other information that may bear upon said matters, by any legitimate procedure, and report the result of their findings in writing to the Senate and House.

On motion, Concurrent Resolution No. 2 was adopted and was ordered transmitted to the Senate.

First Reading of House Bills, Concurrent Resolutions and Joint Memorials.

The following House Bill was read the first time in full: House Bill No. 1, by Edgington.

An Act to provide for the payment of officers, members and employees and for the general expenses of the Eleventh Session of the Legislature of the State of Idaho and declaring an emergency whereby this Act shall go into effect immediately upon its approval.

On motion the House adjourned until 2 p. m. today.

Afternoon Session, Fourth Day.

Hall of the House of Representatives,

Boise, Idaho, January 5, 1911.

House met pursuant to adjournment. Mr. Speaker in the chair.

Roll call showed all members present except Johnston of Blingham, who was excused.

Reports of Committees.

Black of the Committee on Mileage reported that the committee was not quite ready to report, as several of the members had not fully complied with the instructions given the Mileage Committee, and asked that a little more time be given the committee to make its report. Granted.

On motion a recess of ten minutes was taken by the House.

House In Session.

Report of Committee on Mileage.

The Committee on Mileage then submitted the following report:
Mr. Speaker:

We, your Committee on Mileage, beg leave to submit the following report:

Allred	760 miles
Arthur	400 miles
Baldrige	90 miles
Bell	972 miles
Berry	80 miles
Black	1,118 miles
Bower	348 miles
Bradford	2 miles
Bradley	40 miles
Burrell	480 miles
Ceaser	4 miles
Crow	2 miles
Davis	876 miles
Dunning	264 miles
Eckles	242 miles
Edgington	632 miles
Elmers	1,064 miles
Farmin	1,192 miles
Featherstone	1,240 miles
Friend	424 miles
Galloway	152 miles
Gibson	666 miles
Glennon	874 miles
Hammer	1,076 miles
Hellekson	972 miles
Hendricks	530 miles
Hill	660 miles
Holmberg	996 miles
Hutton	1,216 miles
Hyde	610 miles
Jacobs	910 miles
Jayne	520 miles
Jenson	690 miles
Johnston	
Johnson	1,028 miles
Jones	1,238 miles
Kirby	220 miles
Leaf	1,238 miles
Morgan	932 miles
McCabe	1,240 miles
Nelson	1,114 miles
Neilson	730 miles
Nihart	560 miles
Oakes	60 miles
Parker	1,024 miles
Pincock	700 miles
Sanborn	1,220 miles
Smith	338 miles
Sorenson	1,020 miles
Stephens	1,064 miles
Strode	1,240 miles
Taylor	450 miles
Terrell	530 miles
Thompson	1,108 miles
Walker	232 miles
Warnick	632 miles
Wilson	2 miles

Wood 1,002 miles
 Mr. Speaker 6 miles

Respectfully submitted,

R. L. BLACK,
 V. V. BOWER,
 C. JENSEN.

Black moved the adoption of the report of the Committee on Mileage. Seconded by Davis.

Motion carried.

Edgington asked the consent of the House to withdraw House Bill No. 1. Unanimous consent was given.

Introduction of Bills, Joint Resolutions and Memorial.

Edgington introduced substitute for House Bill No. 1: An Act to provide for the payment of officers, members and employes and for the general expenses of the Eleventh Session of the Legislature of the State of Idaho and declaring an emergency whereby this act shall go into effect immediately upon its approval.

Edgington offered the following motion:

I move that all Rules of the House interfering with the immediate passage of this bill be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring that bills to be read on three several days, be dispensed with, this being a case of urgency, and that substitute for House Bill No. 1, having been printed, be read the first and second time by title, and the third time at length, section by section, and be put upon its final passage. Seconded by Allred.

The question being on the suspension of the rules, the roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Cow, Davis, Dunning, Eckles, Edgington, Elmers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 58. Ayes, 58. Nays, none. Absent 1.

And so the rules were suspended and substitute for House Bill No. 1, read first and second time by title, third time at length, section by section, for final action.

The question being, "Shall the bill pass?" the roll was called with the following results:

Yeas—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Elmers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Jones, Kirby, Leaf, Morgan, McCabe, Nelson, Nielson, Nihart, Oakes, Parker, Pincock, Sanborn Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker. Nays—None.

Total number of votes, 58. Ayes, 58. Nays, none. Absent, 1.

And so the bill passed, and was ordered transmitted to the Senate.

Unanimous consent was given to return to the Ninth Order of Business.

Motions and Resolutions.

Crow introduced the following resolution:

HOUSE CONCURRENT RESOLUTION NO. 3, BY CROW.

BE IT RESOLVED, By the House of Representatives, the Senate

concurring, that when we adjourn today that such adjournment be until Monday, January 9, 1911, at 10 o'clock a. m. Seconded by Morgan.

Carried and ordered transmitted to the Senate.

Moved by Dunning, and seconded by Wilson, that the Chief Clerk be authorized to secure one good thermometer for the assembly hall and one for the committee room, at the left, and the Sergeant-at-Arms be instructed to maintain the temperature as nearly as possible at 68 degrees.

Motion carried.

Messages From the Senate.

Boise, Idaho, January 5, 1911.

Mr. Speaker:

I have the honor to inform you that the Senate, by unanimous vote, has today passed House Bill No. 1, by Edgington.

CHARLES J. LISLE,

Assistant Secretary.

Message received and substitute for House Bill No. 1 referred to the Enrolling Committee and ordered enrolled.

Boise, Idaho, January 5, 1911.

Mr. Speaker:

I have the honor to inform you that the Senate, by unanimous vote, has today adopted House Concurrent Resolution No. 3.

CHARLES J. LISLE,

Assistant Secretary.

Message received.

Moved by Morgan that House adjourn pursuant to House Concurrent Resolution No. 3 to Monday, January 9, 1911, at 10 a. m. Seconded by Warnick.

Motion carried.

House thereupon adjourned.

CHARLES D. STOREY,

Speaker.

JAMES H. WALLIS

Chief Clerk.

MONDAY, EIGHTH DAY, JANUARY, 9, 1911.

Morning Session.

Hall of the House of Representatives.

Boise, Idaho, January 9, 1911.

House met pursuant to adjournment. Mr. Speaker in the chair.

Prayer by the Chaplain.

Roll call showed all members present, except Wood, who was excused, on account of sickness.

Appointment of Standing Committees.

The Speaker announced the following standing committees:

Agriculture and Horticulture, Five Members—M. W. Smith, Lincoln; Edgar M. Allred, Bear Lake; Robert C. Thompson, Kootenai; Dow Dunning, Owyhee; J. P. Sorenson, Nez Perce.

Appropriations, Seven Members—J. K. Bell, Latah; David Burrell, Oneida; Ben S. Crow, Ada; H. C. Baldrige, Canyon; Thomas J. Jones, Bonner; John Hyde, Bannock; Angus P. Hutton, Shoshone.

Banks and Banking, Five Members—Thomas McCabe, Shoshone; Earl D. Farmin, Bonner; M. W. Smith, Lincoln; J. J. Wood, Nez Perce; William H. Eckles, Washington.

County Lines and Boundaries, Seven Members—P. G. Johnston, Bingham; David Burrell, Oneida; Thomas McCabe, Shoshone; Adams

G. Johnson, Nez Perce; John P. Elmers, Idaho; Edward B. Arthur, Blaine; Ernest L. Parker, Idaho.

Charitable and Penal Institutions, Seven Members—H. G. Wilson, Ada; J. K. Bell, Latah; Henry C. Bradley, Canyon; Vernon V. Bower, Lincoln; George A. Pincock, Fremont; W. H. Eckles, Washington; J. M. Jayne, Twin Falls.

Cities, Towns and Other Municipal Corporations, Five Members—Roy L. Black, Kootenai; George W. Edgington, Bingham; Charles G. Ceaser, Ada; Robert M. Terrell, Bannock; Amos M. Strode, Shoshone.

Education, Seven Members—Edward J. Hanmer, Lemhi; Charles L. Warnick, Bingham; Fred Nihart, Twin Falls; Thomas J. Jones, Bonner; Ralph W. Oakes, Canyon; Dow Dunning, Owyhee; Frank M. Kerby, Boise.

Educational Institutions, Seven Members—David Burrell, Oneida; David A. Taylor, Cassia; Frank C. Berry, Canyon; H. C. Baldrige, Canyon; Robert M. Terrell, Bannock; James W. Galloway, Washington; George W. Stephens, Idaho.

Enrolled and Engrossed Bills, Five Members—Lawrence E. Glennon, Custer; Vernon V. Bower, Lincoln; David A. Taylor, Cassia; O. C. Hellekson, Latah; A. P. Hutton, Shoshone.

Federal Relations and Memorials to Congress, Five Members—B. P. Bradford, Ada; H. M. Sanborn, Bonner; H. C. Bradley, Canyon; John Hyde, Bannock; A. M. Strode, Shoshone.

Military and Indian Affairs, Seven Members—E. G. Davis, Oneida; James K. Bell, Latah; Henry G. Wilson, Ada; John P. Elmers, Idaho; Bert G. Nelson, Kootenai; George W. Stephens, Idaho; Dow Dunning, Owyhee.

Mines and Mining, Five Members—Samuel Friend, Blaine; Albert H. Featherstone, Shoshone; Thomas McCabe, Shoshone; Charles G. Ceaser, Ada; Ernest L. Parker, Idaho.

Forests and Forestry, Five Members—Judd D. Jacobs, Nez Perce; Thomas McCabe, Shoshone; Frank C. Berry, Canyon; Bert G. Nelson, Kootenai; Ernest L. Parker, Idaho.

Fish and Game, Seven Members—Earl D. Farmin, Bonner; Ralph W. Oakes, Canyon; Edgar M. Allred, Bear Lake; Charles Ceaser, Ada; Edward B. Arthur, Blaine; Charles H. Walker, Elmore; William M. Morgan, Latah.

Private Corporations, Five Members—B. P. Bradford, Ada; Roy L. Black, Kootenai; James K. Bell, Latah; Charles W. Leaf, Kootenai; William M. Morgan, Latah.

Immigration, Labor and Statistics, Five Members—David A. Taylor, Cassia; George W. Edgington, Bingham; Ralph W. Oakes, Canyon; George W. Stephens, Idaho; O. C. Hellekson, Latah.

Irrigation, Reservoirs and Reclamation, Seven Members—Fred Nihart, Twin Falls; M. W. Smith, Lincoln; H. G. Wilson, Ada; Charles L. Warnick, Bingham; David A. Taylor, Cassia; John Hyde, Bannock; J. M. Jayne, Twin Falls.

Judiciary, Seven Members—Albert H. Featherstone, Shoshone; Benjamin S. Crow, Ada; George W. Edgington, Bingham; E. G. Davis, Oneida; Roy L. Black, Kootenai; Robert M. Terrell, Bannock; James W. Galloway, Washington.

Journal, Five Members—Charles L. Warnick, Bingham; V. V. Bower, Lincoln; Judd D. Jacobs, Nez Perce; George A. Pincock, Fremont; E. L. Parker, Idaho.

Live Stock, Five Members—Edward B. Arthur, Blaine; H. M. Sanborn, Bonner; Edgar M. Allred, Bear Lake; James P. Sorensen, Nez Perce; Charles H. Walker, Elmore.

Medicine, Surgery and Pharmacy, Five Members—M. W. Smith, Lincoln; H. C. Bradley, Canyon; John P. Elmers, Idaho; A. E. Holmberg, Nez Perce; Robert M. Terrell, Bannock.

Mileage and Legislative Expense, Three Members—V. V. Bower, Lincoln; Roy L. Black, Kootenai; Christian Jenson, Fremont.

Printing, Five Members—Thomas J. Jones, Bonner; E. M. Allred, Bear Lake; Wesley Gibson, Fremont; Charles G. Censer, Ada; Milo A. Hendricks, Bannock.

Privileges and Elections, Seven Members—H. C. Bradley, Canyon; P. G. Johnston, Bingham; Fred Nihart, Twin Falls; R. C. Thompson, Kootenai; Thomas W. Jones, Bonner; A. P. Hutton, Shoshone; Milo A. Hendricks, Bannock.

Public Building and Grounds, Five Members—Ralph W. Oakes, Canyon; Samuel Friend, Blaine; B. P. Bradford, Ada; W. H. Eckles, Washington; Christian Jensen, Fremont.

Public Printing and Supplies, Five Members—H. C. Baldrige, Canyon; John P. Elmers, Idaho; Earl D. Farmin, Bonner; A. M. Strode, Shoshone; John Hyde, Bannock.

Public Health, Five Members—Benjamin S. Crow, Ada; E. M. Allred, Bear Lake; David Burrell, Oneida; George E. Hill, Fremont; J. M. Jayne, Twin Falls.

Revenue and Taxation (Joint), Seven Members—Earl D. Farmin, Bonner; David Burrell, Oneida; Thor C. Neilsen, Bear Lake; Roy L. Black, Kootenai; George E. Hill, Fremont; Amos M. Strode, Shoshone; J. J. Wood, Nez Perce.

Railroads, Carriers and Other Public Corporations, Seven Members—E. G. Davis, Oneida; H. M. Sanborn, Bonner; B. S. Crow, Ada; L. E. Glennon, Custer; Christian Jenson, Fremont; John Hyde, Bannock; E. L. Parker, Idaho.

Roads, Bridges and Ferries, Five Members—Lawrence E. Glennon, Custer; Fred Nihart, Twin Falls; Thomas J. Jones, Bonner; Charles W. Leaf, Kootenai; W. H. Eckles, Washington.

Rules and Order of Business, Five Members—E. G. Davis, Oneida; George W. Edgington, Bingham; H. C. Baldrige, Canyon; William M. Morgan, Latah; George E. Hill, Fremont.

Schools and Public Lands, Five Members—Thomas C. Neilsen, Bear Lake; David Burrell, Oneida; R. C. Thompson, Kootenai; A. E. Holmberg, Nez Perce; Wesley Gibson, Fremont.

State Affairs, Seven Members—P. G. Johnston, Bingham; H. C. Baldrige, Canyon; B. P. Bradford, Ada; Albert H. Featherstone, Shoshone; Edward J. Hanmer, Lemhi; C. W. Leaf, Kootenai; F. W. Kerby, Boise.

State Library, Three Members—Frank C. Berry, Canyon; Edward J. Hanmer, Lemhi; Oscar C. Hellekson, Latah.

Ways and Means, Seven Members—George W. Edgington, Bingham; Earl D. Farmin, Bonner; Thor C. Neilsen, Bear Lake; L. E. Glennon, Custer; Frank M. Kerby, Boise; Axel E. Holmberg, Nez Perce; Milo A. Hendricks, Bannock.

Warehouse, Grain, Grading and Dealing, Five Members—Adams G. Johnson, Nez Perce; Charles L. Warnick, Bingham; Samuel Friend, Blaine; J. P. Sorenson, Nez Perce; J. M. Jayne, Twin Falls.

Water and Drainage, Five Members—R. C. Thompson, Kootenai; Edward P. Arthur, Blaine; Adams G. Johnson, Nez Perce; William M. Morgan, Latah; Oscar C. Hellekson, Latah.

House Journal for Thursday, the fourth day, was then read and approved.

Presentation of Petitions and Communications.

The following communication from the Secretary of State, transmitting Congressional Joint Resolution, was then received and read:

Boise, Idaho, January 4, 1911.

To the Honorable Speaker of the House of Representatives, Legislative Hall,

Dear Sir:

I have the honor to transmit herewith the copy of a joint resolution proposing an "Amendment to the Constitution of the United States" for the consideration of the present session

Respectfully submitted,

W. L. GIFFORD,

Secretary of State.

No. 1132.

.... United States of America—Department of State.

To All to Whom These Presents Shall Come, Greeting:

I certify that the copy hereto attached is a true copy of a resolution of Congress, entitled "Joint Resolution proposing an amendment to the Constitution of the United States," the original of which is on file in this department.

In testimony whereof, I, P. C. Knox, Secretary of State, have hereunto caused the seal of the Department of State to be affixed, and my name to be subscribed by the Chief of the Bureau of Citizenship of the said department, at the City of Washington, this 27th day of July, 1909.

(Seal.)

P. C. KNOX,

Secretary of State.

By R. W. FLOURNOY, JR.,

Chief, Bureau of Citizenship.

S. J. RESOLUTION 40.

Sixty-first Congress of the United States of America, at the First Session, Begun and Held at the City of Washington on Monday, the Fifteenth Day of March, One Thousand Nine Hundred and Nine.

Joint Resolution proposing an amendment to the Constitution of the United States.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which, when ratified by the Legislatures of three-fourths of the several States, shall be valid to all intents and purposes as a part of the Constitution:

"Article XVI. The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration."

J. G. CANNON,

Speaker of the House of Representatives.

J. S. SHERMAN,

Vice President of the United States and President of the Senate.

Attest:

A. McDOWELL,

Clerk of the House of Representatives.

CHARLES G. BENNETT,

Secretary.

By HENRY H. GILFRY,

Chief Clerk.

I certify that this Joint Resolution originated in the Senate.

CHARLES G. BENNETT,

Secretary.

By HENRY H. GILFRY,

Chief Clerk.

Department of State,
Washington, July 26, 1909.

His Excellency, the Governor of the State of Idaho:

Sir: I have the honor to enclose a certified copy of a resolution of Congress, entitled "Joint Resolution proposing an amendment to the Constitution of the United States," with the request that you cause the same to be submitted to the Legislature of your State for such action as may be had, and that a certified copy of such action be communicated to the Secretary of State, as required by Section 205, Revised Statutes of the United States. (See overleaf.)

An acknowledgment of the receipt of this communication is requested.

I have the honor to be, sir,

Your obedient servant,

P. C. KNOX.

S. J. RESOLUTION 40.

Moved by Davis, and seconded by Warnick, that the communication be received and referred to the Committee on Federal Relations and Memorials to Congress.

Motion carried.

Galloway then offered the following Joint Resolution:

HOUSE JOINT RESOLUTION NO. 1, BY GALLOWAY.

A Joint Resolution ratifying the sixteenth amendment to the Constitution of the United States of America.

Whereas, both houses of the Sixty-first Congress of the United States of America, at its first session, by a constitutional majority of two-thirds thereof, made the following proposition to amend the Constitution of the United States of America in the following words, to wit: "A Joint Resolution proposing an amendment to the Constitution of the United States.

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each house concurring therein), that the following article is proposed as an amendment to the Constitution of the United States, which, when ratified by the Legislature of three-fourths of the several States, shall be valid to all intents and purposes as a part of the Constitution, namely, Article XVI. The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration." Therefore,

Be it resolved by the Senate and House of Representatives of the State of Idaho:

Section 1. That the said proposed amendment to the Constitution of the United States of America be, and the same is hereby ratified by the State Legislature of the State of Idaho.

Sec. 2. That certified copies of this preamble and Joint Resolution be forwarded by the Governor of this State and the President of the United States, to the presiding officer of the United States Senate, and to the Speaker of the United States House of Representatives.

In the Senate and House the..... day of.....
A. D. 1911.

.....
President of the Senate.

.....
Speaker of the House of Representatives.

Moved by Morgan, and seconded by Dunning, that the same be referred to the Committee on Federal Relations and Memorials to Congress.

Motion carried.

Introduction of Bills, Concurrent Resolutions and Joint Memorials.

The following House Joint Memorial was introduced by Jayne:

HOUSE JOINT MEMORIAL NO. 1, BY JAYNE.

To the Honorable Senators and Representatives of the United States in Congress Assembled:

Your memorialist, the Legislature of the State of Idaho, respectfully represents that,

Whereas, a resolution is now pending in the Senate of the United States proposing to submit to the several States of the Union an amendment to the Constitution of the United States providing that members of the United States Senate shall be elected by direct vote of the people of their respective States instead of the Legislatures, as is now required;

Therefore, your said memorialist earnestly recommends the passage of said resolution and represents that the State of Idaho desires the submission of such amendment to the various States for ratification at an early date.

The Secretary of State of the State of Idaho is hereby instructed to forward this memorial to the Senate and House of Representatives of the United States, and copies of the same to our Senators and Representatives in Congress.

Moved by Morgan, and seconded by Galloway, that the resolution be adopted.

Moved by Davis, as a substitute motion, that the resolution be referred to the Committee on Federal Relations and Memorials to Congress.

The pending motions were withdrawn and the Speaker referred the memorial to the Committee on Printing, as also H. J. R. No. 1, by Galloway.

Introduction of Bills, Joint Resolutions and Memorials.

The following House Bills were introduced:

HOUSE BILL NO. 2, BY BELL AND HOLMBERG.

An Act to create and organize the County of Clearwater in the State of Idaho; to define the boundaries thereof; to classify said county and locate the county seat; to provide for the appointment and service of officers, the making, transcribing and legalizing of records, and the creating of revenue for said new county; the transfer of prisoners and of actions, pleadings, files, records, papers and other matters to and holding of courts in said county; the apportionment and adjustment of indebtedness and property between said county and the County of Nez Perce; the placing of said Clearwater County in judicial, senatorial and legislative districts; for the repeal of conflicting acts, and to declare an emergency whereby this Act shall be in effect from and after its passage and approval.

HOUSE BILL NO. 3, BY BELL.

An Act creating and establishing the Agricultural College Fund, provided that moneys received into the State Treasury from certain sources shall be placed in and constitute such fund, and appropriating all the moneys credited thereto for the support and maintenance of the College of Agriculture of the University of Idaho.

H. B. NO. 4, BY CEASER.

An Act to amend Section 6824 of the Penal Code of the State of Idaho.

H. B. NO. 5, BY GLENNON.

An Act to amend Section 23j of the Revised Codes of Idaho, relating to the boundary lines of Custer County.

H. B. NO. 6. BY GLENNON.

An Act for the relief of the citizens' committee of Mackay, Idaho, appropriating the sum of five hundred and seventy-seven and twenty one hundredths (\$577.20) dollars therefor, and declaring an emergency.

Speaker referred House Bills Nos. 2, 3, 4, 5 and 6 to Committee on Printing.

Speaker reported substitute for House Bill No. 1 as being correctly enrolled, and announced that he was about to sign same, which he did.

Morgan and Hellekson asked leave to file communications from their constituents protesting against the repeal of the Sunday rest law, and asked leave to have the same accompany House Bill No. 4.

Granted.

Unanimous consent was given to return to the tenth order of business.

Introduction of Bills, Concurrent Resolutions and Joint Memorials.
The following bills were introduced:

H. B. NO. 7, BY CROW.

An Act amending Sections 3829, 3831 (as amended), 3834 and 3835 of the Revised Codes of Idaho, relating to district courts, and declaring an emergency.

H. B. NO. 8, BY CROW.

An Act attaching Owyhee County to the Third Judicial District, authorizing an additional district judge for said district, authorizing the appointment of said additional judge to hold office until the next general election, and declaring an emergency.

H. B. NO. 9, BY CROW.

An Act to amend Section 4416 of the Revised Codes of the State of Idaho, relating to the appointment of referees.

House Bills Nos. 7, 8 and 9 were referred by Speaker to Committee on Printing.

Moved by Morgan, and seconded by Strode, that adjournment of the House be taken until Tuesday morning, January 10, 1911, at 10 a. m.

Motion carried.

House stood adjourned until Tuesday, January 10, 1911.

CHARLES D. STOREY,

Speaker.

JAMES H. WALLIS,

Chief Clerk.

TUESDAY, NINTH DAY, MORNING SESSION.

Hall of House of Representatives,
Boise, Idaho, January 10, 1911.

House met pursuant to adjournment. Mr. Speaker in the chair.

Prayer was offered by the Chaplain.

Roll call showed all members present, except Wood, who was excused on account of sickness.

Journal for the eighth day was then read and approved.

Motions and Resolutions.

The following resolution was introduced by Hanmer:

HOUSE CONCURRENT RESOLUTION NO. 4, BY HANMER.

Resolved, The Senate concurring, that a committee consisting of two Senators and three Representatives be appointed by the President

of the Senate and Speaker of the House, respectively, to visit the University of Idaho, the State Normal of Lewiston and the Northern Insane Asylum at Orofino; and that a like committee be appointed in like manner to visit the Normal School at Albion, the Academy at Pocatello, the Insane Asylum at Blackfoot, the Industrial School at St. Anthony and the Deaf, Dumb and Blind Institute at Gooding: Provided, however, That no person representing any county in which any one of the public institutions are situated, shall be appointed on either of said committees.

Hanmer moved the adoption of the resolution, seconded by Glennon.

Carried.

Johnston of Bingham then moved the following, seconded by Davis:

Whereas, the appointments made by the Speaker upon the standing committees of the House have been in some particulars unsatisfactory to the party of the minority; and

Whereas, It is desired to give the members of both parties a fair and proportionate representation upon such committees; and,

Whereas, It will be necessary to increase the number of certain committees in order to permit a large proportion of the members of the minority party to constitute the same; therefore, be it

Resolved, That Rule 40 of the House, in regard to standing committees be, and the same is hereby amended so that the standing Committee on Appropriation shall have eight (8) members; Education, eight (8) members; Mines and Mining, six (6) members; Fish and Game, eight (8) members; Irrigation, Reservoirs and Reclamation, eight (8) members; Judiciary, eight (8); Privileges and Elections, eight (8), and State Affairs, eight (8) members, and that the committees with the said membership shall hereafter be as hereby constituted, and the Speaker be authorized to appoint such additional members on each of the said committees as becomes necessary by reason of such change.

Motion was adopted by a unanimous vote, and the rules amended in accordance therewith.

Moved by Johnston that Joseph Shirley be appointed Clerk of the State Affairs and County Lines and Boundaries Committee, and that his salary be fixed at \$5.00 per day. Seconded by Warnick.

Roll call was demanded on the motion by Johnston with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Edgington, Elmers, Farmin, Featherstone, Friend, Glennon, Hanmer, Hendricks, Jacobs, Jayne, Johnson, Johnston, Jones, McCabe, Nielsen, Nihart, Oakes, Parker, Sanborn, Smith, Taylor, Terrell, Thompson, Warnick, Wilson, Mr. Speaker.

Nays—Dunning, Eckles, Galloway, Gibson, Hellekson, Hill, Holmberg, Hutton, Hyde, Jenson, Kerby, Leaf, Morgan, Nelson, Pincock, Sorenson, Stephens, Strode, Walker.

Total number of votes, 58. Ayes, 39. Nays, 19. Absent or not voting, 1.

And so the motion was adopted.

Message From the Governor.

The following message was received from the Governor

Boise, Idaho, January 9, 1911.

To the Speaker of the House of Representatives:

Dear Sir: I have this day signed House Bill No. 1, an Act to provide for the payment of officers, members and employes and for the general expenses of the Eleventh Session of the Legislature of the

State of Idaho, and declaring an emergency whereby this act shall go into effect immediately on its approval, and filed said bill with the Secretary of State, this ninth day of January, 1911, at 11:25 a. m.

Respectfully yours,

JAMES H. HAWLEY,

Governor.

Moved by Featherstone and seconded by Burrel, that Miss Ethel A. Wragg be appointed clerk of the Judiciary Committee, and that her salary be fixed at \$5.00 per day.

Moved by Hill as a substitute motion that the Judiciary Committee be authorized to employ a clerk when the committee decides that such clerk is needed, and at a salary not exceeding five dollars per day. Seconded by Morgan.

Motion lost

Roll call was then demanded on the original motion by Featherstone with the following result:

Ayes: Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrel, Ceaser, Crow, Davis, Edgington, Eimers, Farmin, Featherstone, Friend, Glennon, Hanmer, Hendricks, Jacobs, Johnson, Johnston, Jones, McCabe, Nielsen, Nihart, Oakes, Sanborn, Smith, Taylor, Thompson, Warnick, Wilson, Mr. Speaker.

Nays: Dunning, Eckles, Galloway, Gibson, Hellekson, Hill, Holmberg, Hutton, Hyde, Jayne, Jenson, Kerby, Leaf, Morgan, Nelson, Parker, Pincock, Sorenson, Stephens, Strode, Terrell, Walker.

Total number of votes, 58. Ayes, 36. Nays, 22. Absent or not voting 1.

And so the motion prevailed and Miss Wragg was declared elected.

Mr. Shirley, clerk for State Affairs and County Lines and Boundaries Committees; Miss Wragg, clerk for Judiciary Committee, and Mr. J. J. Huff, Assistant Journal Clerk, then came forward and were sworn in by the Speaker.

Introduction of Bills, Concurrent Resolutions and Joint Memorials.

The following bills were introduced:

H. B. NO. 10, BY SANBORN.

An Act providing for the appointment of an inspector of boilers and an assistant inspector, prescribing their compensation and defining their powers and duties; for the inspection and examination of steam boilers, the examination and licensing of engineers, the revocation of such licenses and the renewal thereof, and prescribing penalties for the violation of this act.

H. B. No. 11, BY SANBORN.

An Act to amend Section 1837 of the Revised Codes so as to provide that fifty (50) per cent of all license moneys therein mentioned shall be applied to and constitute a part of the general school funds of the county.

H. B. NO. 12, BY SANBORN.

An Act to repeal Sections 1842, 1843, 1844, 1845, 1846, 1847, 1848, 1849, 1850, 1851, 1852, 1853, 1854, 1855, 1856, 1857, 1858, 1859, 1860, 1861 and 1862 of the Political Code of the State of Idaho, relating to poll tax.

H. P. NO. 13, BY SANBORN.

An Act to provide for the relief of John McGlocklin.

H. B. NO. 14, BY FARMIN, JONES AND SANBORN.

An Act to provide for the fencing of mining claims and prospect holes.

H. B. NO. 15, BY SANBORN.

An Act compelling any and all railroad passenger trains to stop at

any station for either a doctor or a sheriff to board said train and providing for a special signal.

H. B. NO. 16, BY SANBORN.

An Act amending Section 274 of the Revised Codes, Political Code of Idaho, relating to salaries of elective officers.

H. B. NO. 17, BY FARMIN, BY REQUEST.

An Act to create and organize the County of Kamiah and to define the boundaries thereof, and to define the boundaries of Idaho County, and to define the boundaries of Nez Perce County; to fix the county seat of said Kamiah County; to provide for the apportionment of the indebtedness between Kamiah County and Idaho County and between Kamiah County and Nez Perce County to provide for the appointment of officers in said Kamiah County; to provide for transcribing that portion of the records of Idaho County and Nez Perce County pertaining to persons and property in said Kamiah County; to constitute the County of Kamiah a part of the Second Judicial District of the State of Idaho, and for other purposes and declaring an emergency therefor.

H. B. NO. 18, BY JENSON.

An Act to amend sections 1299, 1300 and 1301 of the revised statutes of the State of Idaho.

H. B. NO. 19, BY JACOBS AND HOLMBERG.

An Act relating to dams and booms in the north fork of the Clearwater River and in the tributaries thereof, and repealing all acts or parts of acts in conflict with any of the provisions of this act.

H. B. NO. 20, BY BELL.

An Act to amend section four (4) of an act of the Legislature, approved March 15th, 1909, being an act to regulate the sale, transfer and use for service of stallions and jacks, etc., be and the same is hereby amended to read as follows:

H. B. NO. 21, BY BRADLEY, BY REQUEST.

An Act to amend Sections 1731, 1737, 1739 and 1743 of the Code relating to the payment and collection of taxes.

H. B. NO. 22, BY CEASER.

An Act to amend Section 6825 of the Revised Code of the State of Idaho.

H. B. NO. 23, BY MORGAN.

An Act to repeal Section 963 of the Political Code of the State of Idaho.

H. B. No. 24, BY MORGAN.

An Act to amend Section 2622 of the Civil Code of the State of Idaho by defining the terms "Priest" and "Minister of the Gospel" therein contained.

HOUSE JOINT RESOLUTION NO. 1, BY HANMER.

A Joint Resolution proposing the amendment of Section 2, Article 3, of the Constitution of the State of Idaho, submitting to the electors of said State for their approval or rejection the question whether said section shall be so amended as to permit a membership of thirty-six in the Senate and ninety in the House of Representatives.

Reference of Bills.

Speaker referred House Bills Nos. 10 to 24 and House Joint Resolution No. 1 to the Committee on Printing.

Speaker announced the following changes in committee assignments:

Appropriations—Gibson placed on committee
County Lines and Boundaries—Jensen in place of McCabe.
Education—Jayne placed on committee.
Mines and Mining—By adding Galloway.
Fish and Game—By adding Leaf
Irrigation—By adding Walker.
Judiciary—By adding Hill.
Privileges and Elections—By adding Hellekson.
Revenue and Taxes—Dunning in place of Strode.
Railroads and Corporations—Sanborn in place of Featherstone.
State Affairs—Nelson in place of Leaf, and adding Pincock.
Waters and Drainage—Leaf in place of Morgan.
Moved by Morgan, and seconded by Hill, that House stand adjourned until 2 p. m
Motion carried
House adjourned.

Afternoon Session, Ninth Day.

House met pursuant to adjournment. Mr. Speaker in the chair.
Roll call showed all members present, except Wood, who was excused on account of sickness

Reports of Committees.

Mr. Jones, the Chairman of the Committee on Printing, submitted the following report

Mr. Speaker:

We, your Committee on Printing, beg leave to report the following bills as being correctly printed: House Bills Nos. 4, 6, 7 and 8.

T. J. JONES, Chairman.

E. M. ALLRED.

WESLEY GIBSON.

CHARLES CEASER,

MILO HENDRICKS.

Introduction of Bills, Concurrent Resolutions and Joint Memorials.

HOUSE JOINT RESOLUTION NO. 3, BY STRODE.

House Joint Resolution proposing the amendment of Section 6, Article 5, of the Constitution of the State of Idaho, submitting to the electors of said State, for their rejection or approval, the question whether said section shall be so amended as to increase the number of Justices of the Supreme Court from three members to five members.

HOUSE BILL NO. 25, BY WALKER.

An Act to amend Section 1692 of the Revised Codes of Idaho relating to equalization of taxes by providing for an appeal from the County Board of Equalization.

HOUSE BILL NO. 26, BY HILL.

An Act to amend Paragraph 3, of Section 658, of the Revised Codes of Idaho, empowering Boards of Trustees of Independent School Districts to levy a special tax for the maintenance of said schools, and the expenditure thereof.

First Reading of House Bills, Concurrent Resolutions and Joint Memorials.

The following House Bills were read first time in full:

House Bill No. 4, by Ceaser

House Bill No. 6, by Glennon.

House Bill No. 7, by Crow.

House Bill No. 8, by Crow.

Moved by Glennon, and seconded by Walker, that the House adjourn until 10 a. m. Wednesday.

Motion carried.

House adjourned.

JAMES H. WALLIS.
Chief Clerk.

CHARLES D. STOREY,
Speaker.

WEDNESDAY, TENTH DAY, MORNING SESSION.

Hall of the House of Representatives,
Boise, Idaho, January 11, 1911.

House met pursuant to adjournment. Mr. Speaker in the chair.

Prayer was offered by the Chaplain.

Roll call showed all members present, except Wood, who was excused on account of sickness.

Journal for the ninth day was read and approved.

Reports of Standing Committees.

The Committee on Printing submitted the following report:

Mr. Speaker:

We, your Committee on Printing, beg leave to report the following bills as having been correctly printed: House Bills Nos. 9, 3, 12 and 5.

JONES,
Chairman.

Report accepted.

Unanimous consent was given Hill to withdraw House Bill No. 26.

Introduction of Bills, Concurrent Resolutions and Joint Memorials.

The following bills were introduced:

H. B. NO. 27, BY BLACK.

An Act amending Section 4531 of the Revised Codes of Idaho relating to actions for trespass, repealing all acts or parts of acts in conflict with this act, and declaring an emergency.

H. B. NO. 28, BY GLENNON.

An Act to amend Sections 4655, 4659 and 4695 of the Revised Codes of Idaho, relating to proceedings in justice's courts.

H. B. NO. 29, BY HANMER.

An Act amending Section 2659 of the Revised Codes of Idaho relating to the time of residence in Idaho prerequisite to the commencement of an action for divorce; and providing for final and interlocutory judgment of divorce; an appeal from any interlocutory judgment taken within three months thereafter; for such other and further relief as may be necessary; and that the death of either party after the entry of the interlocutory judgment does not impair the court to enter final judgment.

H. B. NO. 30, BY HENDRICKS.

An Act to require railroad companies and corporations to fence their tracks and maintain crossings and cattle guards, and to make them responsible for damages in maiming and killing domestic animals, and the expenses of such fencing, upon their failure so to do, making the maiming or killing of live stock by a railroad company or corporation prima facie evidence of negligence on the part of such company or corporation, requiring a claim for such damages to be made upon such railroad company or corporation, fixing the time within which suits for such damages must be commenced, providing

for reasonable attorney's fees, amending Sections 2815, 2817 and 2818 of the Revised Codes of Idaho, and repealing Section 2814 of the Revised Codes of Idaho.

H. B NO. 31, BY NELSON.

An Act authorizing an additional District Judge for the Eighth Judicial District and authorizing the appointment of said additional Judge to hold office until the next general election for District Judges and declaring an emergency.

H. B NO. 32, BY HILL.

An Act providing for the issuing and sale of State bonds in the sum of seven thousand (\$7,000 00) dollars, and appropriating the proceeds thereof for the constructing of a wagon bridge across the south fork of Snake River, at or near the State line, where said stream crosses the Idaho State line, in Bingham County, Idaho, and authorizing the levy of annual ad valorem tax to provide a sinking fund for the payment of such bonds at maturity and the interest thereon as the same becomes due. Provided, That the cost and fair value of said bridge shall not be less than eleven thousand (\$11,000 00) dollars, and that the additional amount over and above the seven thousand (\$7,000 00) dollars shall be raised from other sources and made available to the satisfaction of the Governor of Idaho before the proceeds of said bonds, or any part thereof, shall be available; providing for a bridge commission to have general control of the construction of said bridge and of the disbursement of the appropriation made by this act

House Bills Nos 25 and 26 and House Joint Resolution No. 3 were referred to the Printing Committee and ordered printed

First Reading of House Bills, Concurrent Resolutions and Joint Memorials.

The following House Bills were read first time in full.

- H. B No. 2, by Bell and Holmberg.
- H. B No. 3, by Bell.
- H. B No. 5, by Glennon.
- H. B. No. 9, by Crow.
- H. B. No. 10, by Sanborn
- H. B. No. 11, by Sanborn
- H B. No. 12, by Sanborn.
- H B No. 13, by Sanborn
- H. B No 14, by Farmin, Jones and Sanborn.
- H B. No 15, by Sanborn
- H. B. No 16, by Sanborn.
- H. B. No. 17, by Farmin, by request
- H B No. 18, by Jenson.
- H B No 19, by Jacobs and Holmberg
- H. B. No 20, by Bell
- H. B. No. 21, by Bradley, by request.
- H B. No. 22, by Ceaser.
- H B No 23, by Morgan.
- H B. No. 24, by Morgan
- H B. No 25, by Walker.
- H B. No. 26, by Hill.
- H B. No. 27, by Black.
- H. B. No. 28, by Glennon.
- H B. No. 29, by Hanmer.
- H. B. No. 30, by Hendricks
- H. B No 31, by Nelson.
- H. B. No. 32, by Hill.

Second Reading and Reference of House Bills, Concurrent Resolutions and Joint Memorials.

The following House Bills were read the second time in full:

H. B. No. 4, by Ceaser.

H. B. No. 6, by Glennon.

H. B. No. 7, by Crow.

H. B. No. 8, by Crow.

Reference of Bills.

The Speaker referred the following House Bills to the Judiciary Committee:

House Bills Nos. 4, 6, 7 and 8.

Moved by Hill and seconded by Walker that adjournment be taken until 2 p. m. today.

Motion carried.

House adjourned.

AFTERNOON SESSION, TENTH DAY.

House met pursuant to adjournment Mr. Speaker in the chair.

Roll call showed all members present, except Wood, who was excused on account of sickness.

Reports of Standing Committees.

The Committee on Printing submitted the following report:

Mr. Speaker:

We, your Committee on Printing, beg leave to report the following bills, joint resolutions and joint memorials as being correctly printed House Bills Nos. 2, 26, 19, 13, 15, 16 and 22.

Joint Resolutions Nos. 1, 2 and 3.

Joint Memorial No. 1.

Respectfully submitted,

JONES,
Chairman

Report of Committee on Printing accepted.

Unanimous consent was given Glennon to withdraw House Bill No. 5.

Introduction of Bills, Concurrent Resolutions and Joint Memorials.

The following bills were introduced.

H. B. NO. 33, BY HILL.

An Act amending Section 8 of House Bill 207, 1909 Session Laws, approved March 11, 1909, entitled, "An Act to provide for the appointment of a fish and game warden, assistant and deputy wardens, defining their duties and fixing their compensations; to provide a system of license for fishing and hunting and a system of permits for shipping game and fish, and defining the duties of certain officers as to such licenses and permits. Also to provide for the preservation, protection and propagation of fish and game; to provide for the maintenance and operation of State fish hatcheries and distribution of fry to the various waters of the State of Idaho; to provide for superintendents and assistants for such hatcheries; to provide for private game and fish parks and ponds and the issuance of permits for the selling and transportation of certain fish, to provide penalties for the violation of this act and to appropriate money to carry out the provisions of this act; and to repeal previous legislation relating to the subject of fish and game."

H. B. NO. 34, BY WILSON.

An Act granting relief to H. H. McAdams of Boise, Idaho, and appropriating therefor the sum of one thousand three hundred fifty-nine dollars.

HOUSE BILL NO. 35, BY ARTHUR.

An Act making it unlawful to admit minors into pool rooms, billiard halls, card rooms, and like places of amusement, and prescribing a penalty.

HOUSE BILL NO. 36, BY GLENNON.

An Act to amend Section 23J of the Revised Codes of Idaho, relating to the boundary lines of Custer County.

Reference of Bills.

The Speaker referred the following bills to the Committee on printing.

House Bills Nos. 27, 28, 29, 30, 31, 32, 33, 34, 35 and 36, and substitute for House Bill No. 26.

First Reading of House Bills, Concurrent Resolutions and Joint Memorials.

The following House Bills were read first time in full.

House Bill No. 33, by Hill.

House Bill No. 34, by Wilson.

House Bill No. 35, By Arthur.

House Bill No. 36, by Glennon.

Committee Announcements.

Bell, chairman of the Committee on Appropriations, announced that the committee had organized and was ready for business, and requested any person having business to present to said committee to do so.

Moved by Walker, and seconded by Hill, that House adjourn until 10 a. m. Thursday.

Motion carried.

House adjourned.

JAMES H. WALLIS,
Chief Clerk.

CHARLES D. STOREY,
Speaker.

THURSDAY, ELEVENTH DAY, JANUARY 12, 1911.**Morning Session.**

Hall of the House of Representatives,
Boise, Idaho, January 12, 1911.

House met pursuant to adjournment Mr. Speaker in the chair.
Prayer was offered by the Chaplain.

Roll call showed all members present except Wood, who was excused on account of sickness.

The Journal Committee submitted the following report
Mr. Speaker:

The Committee on Journal herewith reports that they have had under consideration the Journal for the 10th day, and find the same correct, and move that the Journal for the tenth day be approved and adopted.

WARNICK,
Chairman.

Report adopted

Journal for tenth day then read and approved.

Mr. Glennon of the Committee on Engrossed and Enrolled Bills submitted the following report:

Mr. Speaker:

We, your Committee on Engrossed and Enrolled Bills, beg leave to report that we have had under consideration the work of the Session

as pertaining to this committee, and find that in order to avoid any recurrence of what was found to be necessary at the close of the last Session of the Legislature in that bills had to be enrolled after the said Session had adjourned; that it will be for the best interests of this House for the appointment of competent proof readers to take the engrossed and enrolled bills as they leave the hands of the clerks and thoroughly proof read them.

We believe that the same proof readers can be utilized by the Printing Committee, without interference with their work in connection with this committee, and therefore recommend to the House that authority be given to employ this help at the usual per diem of \$5.00 per day as allowed other clerks employed.

In order to avoid a disorganization of the clerical force allowed this committee, and to expedite our work, the members of the House, on and after the 20th day of the Session, can not except the services of the engrossing and enrolling clerks in the preparation of their bills, or other work which they desire prepared for themselves, without first consulting the chairman of this committee.

The House has only two engrossing and two enrolling clerks and the work of the House will require the attention of such clerks to the work for which they have been employed.

L. E. GLENNON, Chairman,
A. P. HUTTON,
DAVID A. TAYLOR,
V. V. BOWER,
O. C. HELLEKSON, Committee.

Moved by Jones, and seconded by Glennon, that report of the Committee on Engrossed and Enrolled Bills be adopted.

Motion carried.

Report adopted.

Moved by Jones, and seconded by Glennon, that the Committees on Printing and Engrossed and Enrolled Bills be authorized to employ Cornell Miles and Jennie Haley as proof readers for said committees and that their per diem be fixed in the sum of \$5.00.

Roll call was demanded on the motion by Jones with the following result:

Ayes: Allred, Arthur, Baldridge, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Edgington, Elmers, Farmin, Featherstone, Friend, Glennon, Hanmer, Hutton, Jacoba, Johnson, Johnston Jones, McCabe, Nielsen, Nihart, Oakes, Sanborn, Smith, Taylor, Thompson, Warnick, Wilson, Mr. Speaker.

Nays: Dunning, Eckles, Galloway, Gibson, Hellekson, Hendricks, Hill, Holmberg, Hyde, Jayne, Kerby, Leaf, Morgan, Nelson, Parker, Pincock, Sorenson, Stephens, Strode, Terrell, Walker.

Total number of votes, 57. Ayes, 36. Nays, 21. Absent and not voting 2.

And so the motion prevailed and Cornell Miles and Jennie Haley were declared duly elected as proof readers.

Cornell Miles and Jennie Haley came forward and were sworn in by the Speaker.

Reports of Standing Committees.

Mr. Jones of the Committee on Printing submitted the following report:

Mr. Speaker:

We, your Committee on Printing, beg leave to report the following bills as having been correctly printed:

House Bills Nos. 23, 20, 21, 14, 25, 24 and 11.

Respectfully submitted,

JONES,
Chairman.

Report adopted.

Unanimous consent was given to return to the eighth order of business.

Report of Select Committees.

Davis, Chairman of Committee on Joint Rules for Government of House and Senate, submitted the following report:

Mr. Speaker;

We, your committee, appointed to confer with a like committee from the Senate on Joint Rules governing the House and the Senate, when in joint session, have agreed upon the rules of the Ninth Session governing the same and herewith submit the following and recommend an order for the printing of five hundred copies of the same to be made for the use of both Houses.

Respectfully submitted,

E. G. DAVIS,

H. C. BALDRIDGE,

G. W. EDGINGTON.

Joint Rules Senate and House of Representatives.

Rule 1. In every case of amendment of a bill agreed to in one House and dissented from in the other, if either House shall request a conference and appoint a committee to confer, the other House shall appoint a like committee and such committees shall meet at a convenient hour to be agreed upon by their respective chairmen, and shall confer upon the differences between the two Houses and shall report as early as convenient the result of their conference to the respective Houses for their action.

Rule 2 When a message shall be sent to either House, the same shall be reduced to writing and transmitted to the desk of the Chief Clerk or Secretary, as the case may be, by the person to whom such message or communication is entrusted and such message or communication shall be taken in its proper order as may be provided by the Rules of the House to which such message is sent.

Rule 3 Messages shall be sent by the clerks, or by such other person as the presiding officer may select for that purpose.

Rule 4. Notice to either House of action by the other shall be in writing and be signed by the Clerk of the House from which such notice is conveyed.

Rule 5. After a bill shall have passed both Houses, it shall be enrolled immediately by the Enrolling Clerk of the House in which it originated.

Rule 6. After examination and report, each bill shall be signed first by the presiding officer of the House in which it originated, then by the presiding officer of the other House, and lastly be submitted to the Governor for his approval. The Enrolling Committee shall report the day of submission to the Governor, which date shall be carefully entered on the Journal of the House in which the bill originated.

Rule 7 All joint resolutions and memorials, after being passed, shall be treated in every respect as are bills, except that they shall be filed with the Secretary of State instead of being left with the Governor for his approval.

Rule 8. When final action shall have been taken upon any bill, joint resolution, concurrent resolution, or memorial, which has been passed in one House, it shall be returned to the House in which it originated, with an endorsement thereon by the Clerk, showing a complete record of all action taken upon it.

Rule 9. When a bill, joint resolution, concurrent resolution, or memorial, except in matters pertaining to revenue or finance, shall have been passed by one House, and have been rejected by the other,

it can not be again introduced in the House in which it originated.

Rule 10. When both Houses adhere to their disagreement, after the vote of the committee of conference upon any bill, joint resolution, concurrent resolution or memorial, the same shall be considered lost.

Rule 11. The Chairman of the House Committee on Printing and the Chairman of the Senate Committee on Printing shall constitute a Standing Committee of two to take action on all articles proposed to be printed by concurrent action, and the work to be done shall be equally apportioned to each chairman for a reference to his respective committee.

Rule 12. When the two Houses shall meet in joint session, the Speaker of the House of Representatives shall preside. Such session shall be held in the chamber of the House of Representatives. The Chief Clerk of the House of Representatives and the Secretary of the Senate shall be the clerks of such session and the record of the proceedings shall be entered on the Journals of the respective Houses.

Respectfully submitted,

E. W. WHITCOMB,
CLENCY ST. CLAIR,
G. H. FISHER,
E. G. DAVIS,
H. C. BALDRIDGE,
G. W. EDGINGTON.

Moved by Davis and seconded by Bell that the report of the Committee on Joint Rules be adopted.

Motion carried.

Report of Judiciary Committee.

Featherstone, the chairman of the Judiciary Committee, submitted the following report:

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration House Bills Nos. 7 and 8, report same back to the House with no action taken, for the purpose of allowing Crow to offer a substitute for each of said bills.

A. H. FEATHERSTONE,
Chairman.

Report adopted.

Unanimous consent was given Crow to withdraw House Bills Nos. 7 and 8 and offer substitutes therefor.

Introduction of Bills, Concurrent Resolutions and Joint Memorials.

The following House Bills, and Joint Resolutions were introduced:

H. J. R. NO. 4, BY KERBY.

Joint Resolution to be submitted to the electors of the State of Idaho for rejection or approval; amending section one (1) of article three (3) of the State Constitution so as to provide that the people shall have the power to propose laws of their own initiative and to enact the same at the polls independent of the Legislature, and making this amendment self-executing.

H. J. R. NO. 5, BY KERBY.

Joint Resolution to be submitted to the electors of the State of Idaho for rejection or approval; amending section 1 of article three (3) of the State Constitution, so as to provide that the people shall have the power to propose a referendum vote on any act or measure passed by the State Legislature, and to approve or reject the same at the polls independent of the Legislature and making this amendment self-executing.

H. B. NO. 37, BY SMITH.

An Act amending Section 605 of the Revised Codes of Idaho regulating apportionment of the county and State school fund.

H. B. NO. 38, BY JUDICIARY COMMITTEE.

An Act to repeal "An Act declaiming it a misdemeanor to permit a hog to be, or run at large in certain places, or to fail, neglect or refuse to keep the same penned" (approved March 15, 1909), and declaring an emergency.

H. B. NO. 39, BY BERRY, BY REQUEST.

An Act to amend Section 4470 of the Idaho Revised Codes.

H. B. NO. 40, BY FEATHERSTONE.

An Act for the relief of Tony A. Tubbs for personal services rendered and moneys advanced the State of Idaho in furnishing goods, wares and merchandise and building material for use in feeding the prisoners during the Coeur d'Alene disturbance in 1899.

H. B. NO. 41, BY JOHNSTON, WARNICK AND EDGINGTON.

An Act to provide for the macadamizing of about five miles of the public highway, along and adjoining the right-of-way of the Oregon Short Line Railroad, in Bingham County, Idaho, commencing at Ross Fork in said county, and running thence in a northeasterly direction along said highway to a point near Gibson's switch, creating the Ross Fork Road Commission, prescribing its duties and powers, providing for the issue and sale of State bonds to defray the cost of macadamizing said road, and authorizing the levy of a tax to pay the principal and interest of said bonds.

H. B. NO. 42, BY JOHNSTON, WARNICK AND EDGINGTON.

An Act to create and organize the County of Snake River and to define the boundaries thereof, and to define the boundaries of Bingham County; to fix the county seat of said Snake River County; to provide for the apportionment of the indebtedness of Snake River County between Bingham County and Snake River County; to provide for the appointment of officers in said Snake River County and for transcribing that portion of the record of Bingham County pertaining to persons and property within Snake River County, and to constitute the County of Snake River a part of the Sixth Judicial District of the State of Idaho and a part of the Fifth Senatorial District of the State of Idaho, and for other purposes, and declaring an emergency.

H. B. NO. 43, BY JACOBS (BY REQUEST).

An Act to amend Section 7158 of the Penal Code, Revised Codes of Idaho, relating to malicious injury to property.

H. B. NO. 44, BY BRADFORD, CROW, CEASER, STOREY AND WILSON.

An Act providing for the issuance and sale of State Bonds in the sum of one million (\$1,000,000.00) dollars and appropriating the proceeds thereof to the completion of the construction of the central section and west wing of the capitol building at Boise, Idaho, and furnishing of the same, and providing for the levy of a tax to pay the principal and interest of said bonds, and declaring an emergency.

H. B. NO. 45, BY CROW.

An Act to amend Section 4494 of the Revised Codes of Idaho.

H. B. NO. 46, SUBSTITUTE FOR H. B. NO. 7, BY CROW.

An Act amending Sections 3829, 3831 (as amended), 3834 and 3835 of the Revised Codes of Idaho relating to districts courts and declaring an emergency.

H. B. NO. 47, BY CROW, SUBSTITUTE FOR H. B. NO. 8.

An Act attaching Owyhee County to the Third Judicial District, authorizing an additional District Judge for said district, providing for the fixing of the terms of court in said Owyhee County, and relating to the causes, matters and proceedings pending in the district court in said Owyhee County, authorizing the appointment of said additional judge to hold office until the next general election for District Judges, repealing all acts and parts of acts in conflict herewith, amending Section 26 of the Revised Codes as amended by an act approved March 15, 1909, and declaring an emergency.

H. B. NO. 48, BY HILL (SUBSTITUTE FOR H. B. NO. 26).

An Act amending Section 658 of the Revised Codes of Idaho, regulating duties and powers of trustees of Independent School Districts

First Reading of House Bills, Concurrent Resolutions and Joint Memorials.

The following House Bills were read first time in full:

H. J. R. No. 1, by Galloway.

H. J. R. No. 2, by Hanmer.

H. J. R. No. 3, by Strode.

H. J. M. No. 1, by Jayne.

Second Reading and Reference of House Bills, Concurrent Resolutions and Joint Memorials.

The following House Bills were read the second time in full:

H. B. No. 2, by Bell and Holmberg.

H. B. No. 3, by Bell.

H. B. No. 5, by Glennon.

H. B. No. 10, by Sanborn.

H. B. No. 11, by Sanborn.

H. B. No. 12, by Sanborn.

H. B. No. 13, by Sanborn.

H. B. No. 14, by Farmin, Jones and Sanborn.

H. B. No. 15, by Sanborn.

H. B. No. 16, by Sanborn.

H. B. No. 17, by Farmin, by request.

H. B. No. 18, by Jensen.

H. B. No. 19, by Jacobs and Holmberg.

H. B. No. 21, by Bradley, by request.

H. B. No. 22, by Ceaser.

H. B. No. 23, by Morgan.

H. B. No. 24, by Morgan.

H. B. No. 25, by Walker.

H. B. No. 27, by Black.

H. B. No. 28, by Glennon.

H. B. No. 29, by Hanmer.

H. B. No. 30, by Hendricks.

H. B. No. 31, by Nelson.

H. B. No. 32, by Hill.

H. B. No. 33, by Hill.

H. B. No. 34, by Wilson.

H. B. No. 35, by Arthur.

H. B. No. 36, by Glennon.

Moved by Hellekson, and seconded by Johnson, that House adjourn.
Motion carried
House adjourned.

JAMES H. WALLIS
Chief Clerk

CHARLES D. STOREY,
Speaker.

FRIDAY, TWELFTH DAY, JANUARY 13, 1911.

Morning Session.

Hall of House of Representatives,
Boise, Idaho, January 13, 1911

House met pursuant to adjournment Mr. Speaker in the chair.
Prayer was offered by the Chaplain.

Roll call showed all members present, except Jenson excused, and Hellekson excused on account of sickness

The Journal Committee submitted the following report:
Mr. Speaker

The Committee on Journal herewith report that they have had under consideration the Journal for the eleventh day and find the same correct, with one exception, which has been corrected, and move that the Journal for that day, as corrected, be approved and adopted

WARNICK,
Chairman.

Report adopted.

Journal for eleventh day then read and approved.

Reference of Bills.

The following House Bills were referred to their respective committees:

House Bills Nos 11, 12, 16, 18, 20, 21, 22, 23, 24, 25, 27, 28, 29, 30, 31, 33, 35 and 36 to Committee on Judiciary.

House Bills Nos. 2 5, 17 to Committee on County Lines and Boundaries

House Bills Nos 3, 10 and 19 to Committee on State Affairs.

House Bills Nos 13 and 34 to Committee on Appropriations.

House Bill No. 14 to Committee on Mines and Mining.

House Bill No 15 to Committee on Railroads, Carriers and Other Public Corporations.

House Bill No. 32 to Committee on Roads, Bridges and Ferries.

Presentation of Petitions and Communications.

A protest against the division of Bingham County, as provided by House Bill No. 42, was presented by Morgan with the request that same be attached to the bill when referred to its respective committee:

Reports of Standing Committees.

Jones, chairman of the Committee on Printing, submitted the following report:

Mr. Speaker:

We, your Committee on Printing, beg leave to report the following bills as correctly printed, save for slight errors in copy:

House Bills Nos 18, 29, 31, 34 and 35.

We also report that House Bills Nos. 37, 38, 39, 40, 41, 42, 43, 44, 45, 46 and 47, and House Joint Resolutions Nos. 4 and 5 have been read by copy, corrected, and are now in the hands of the printer.

JONES,
Chairman.

Report accepted.

Introduction of Bills, Concurrent Resolutions and Joint Memorials.

The following House Bills and Joint Resolutions were introduced:

H. B. NO. 49, BY SANBORN.

An Act to amend Chapter 1, Title 13, of the Revised Codes and add a new section to be known as Section 2172A, which shall provide for the annexation of contiguous territory to cities, towns and villages by the council or board of trustees upon the vote of the electors of such corporation.

H. B. NO. 50, BY BERRY.

An Act to amend Section 642 of Article 11 of Chapter 6 of the Revised Codes of Idaho relating to school district bonds and the voting thereof.

H. B. NO. 51, BY GLENNON.

An Act authorizing the repair of that portion of the State wagon road beginning at Banner, in Boise County, and running by way of Bear Valley, in Idaho County, and thence down the main Salmon River, in Custer County; providing for the issuance and payment of State bonds in the sum of fifteen thousand (\$15,000.00) dollars and appropriating the proceeds thereof for said purpose; and authorizing the levying of an annual ad valorem tax to provide for a sinking fund for the payment of such bonds at maturity and the interest thereon as the same becomes due; providing for a road commission to have general control of the work of repairing said road and the disbursement of the appropriation made by this act.

H. B. NO. 52, BY BLACK, FARMIN, SANBORN, JONES AND THOMPSON.

An Act creating the County of Bonner the Ninth Judicial District of the State of Idaho; providing for the election of a District Judge thereof; providing the manner and detail relative to the calling and holding of a special election thereof; providing for the fixing of the terms of court in said district; relating to the causes, matters or proceedings pending in said district, and empowering the Judge of the Eighth Judicial District to refix the term of court of said district for the year 1911; amending Section 26 of the Revised Codes of the State of Idaho, as amended by an act of the Tenth Session of the Legislature of the State of Idaho, approved March 15, 1909, and declaring an emergency.

H. B. NO. 53, BY STRODE AND FEATHERSTONE.

An Act to provide for the protection of workmen and employees against the imposing of unlawful conditions affecting the place at which, the manner in which, or the person with whom any workman or employee may board, lodge, subsist or reside, or affecting the disposition of their wages; and providing penalties for the violation thereof.

H. B. NO. 54, BY SORENSON.

An Act to amend Section 4655 and 4660 of the Revised Codes of Idaho, relating to summons in justice's court.

H. B. NO. 55, BY SMITH.

An Act to provide that doors in public assembly halls, theaters, churches, schools, etc., shall swing outward and prescribing penalty thereof.

H. B. NO. 56, BY JOHNSON.

An Act to amend Section 3843 of the Revised Codes of Idaho and declaring an emergency.

H. B. NO. 57, BY STRODE.

An act to protect employees by providing for prompt payment of wages and fixing penalties for the violation thereof.

H. J. R. NO. 6, BY KERBY.

A Joint Resolution to be submitted to the electors of the State of Idaho for rejection or approval, amending Article 6 of the State Constitution by adding thereto Section 6, so as to provide that the electors of the State or of any Electoral District therein may recall any public officer, except judicial officers, before the expiration of his term of office, and providing the manner in which such recall may be effected.

Reference of Bills.

The following House Bills were referred by the Speaker to the Committee on Printing:

House Bills Nos 49, 50, 51, 52, 53, 54, 55, 56, 57, and House Joint Resolution No. 6.

First Reading of House Bills, Concurrent Resolutions and Joint Memorials.

The following House Bills and House Joint Resolutions were read first time in full:

- H. B. No. 37, by Smith.
- H. B. No. 38, by Judiciary Committee.
- H. B. No. 39, by Berry, by request.
- H. B. No. 40, by Featherstone.
- H. B. No. 41, by Johnston, Warnick and Edgington.
- H. B. No. 42, by Johnston, Warnick and Edgington.
- H. B. No. 43, by Jacobs, by request.
- H. B. No. 44, by Bradford, Crow, Ceaser, Storey and Wilson.
- H. B. No. 45, by Crow.
- H. B. No. 46, by Crow, substitute for H. B. No. 7.
- H. B. No. 47, by Crow, substitute for H. B. No. 8.
- H. B. No. 48, by Hill, substitute for H. B. No. 26.
- H. B. No. 49, by Sanborn.
- H. B. No. 50, by Berry.
- H. B. No. 51, by Glennon.
- H. B. No. 52, by Black, Farmin, Sanborn, Jones and Thompson.
- H. B. No. 53, by Strode and Featherstone.
- H. B. No. 54, by Sorenson.
- H. B. No. 55, by Smith.
- H. B. No. 56, by Johnson.
- H. B. No. 57, by Strode.
- H. J. R. No. 6, by Kerby.

Second Reading and Reference of House Bills, Concurrent Resolutions and Joint Memorials.

The following House Bills, House Joint Resolutions and House Joint Memorials were read the second time in full:

- H. J. R. No. 1, by Hanmer.
- H. J. R. No. 3, by Strode.
- H. J. M. No. 1, by Jayne.

Moved by Davis and seconded by Warnick that House adjourn until 2 p. m. this afternoon.

Motion carried.

House adjourned.

Afternoon Session, Twelfth Day.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll call showed all members present except Hellekson and Jenson, the former being excused on account of sickness.

Presentation of Petitions and Communications.

Bell filed a petition pertaining to the creation of Clearwater County; also maps and certificates in regard to same, and requested that these accompany House Bill No. 2.

Same was referred by the Speaker to Committee on County Lines and Boundaries to accompany House Bill No. 2.

Jacobs filed a petition of residents and property owners in regard to improvement of North Fork of Clearwater River, and resolutions from Lewiston, Orofino and Pierce City to accompany House Bills No. 19.

Speaker referred the same to Committee on State Affairs, with House Bill No. 19.

Reports of Standing Committees.

Jones, Chairman of the Committee on Printing, submitted the following report:

Mr. Speaker:

We, your Committee on Printing, beg leave to report the following bills as having been correctly printed:

House Bills Nos. 10, 26 and 33.

JONES,
Chairman.

Report adopted.

Report of Judiciary Committee.

Featherstone, chairman of the Judiciary Committee, submitted the following reports:

Mr. Speaker:

We, your Judiciary Committee, respectfully report that we have had under consideration House Bill No. 24, by Morgan, and report that the same be amended by striking out in line eight, after the word denomination, "and who is in actual charge of a congregation organized for religious worship," and recommend that the bill do pass as amended.

Also House Bill No. 12, by Sanborn, and return the same and recommend that it be referred to the Committee on Revenue and Taxation.

Also House Bill No. 25, by Walker, and return the same to the House with the recommendation that the amendatory matter therein be printed in italics to conform to the House Rules.

Also House Bill No. 11, by Sanborn, and report same back to the House with the recommendation that it be referred to the Printing Committee for the purpose of having the amendatory matter set off in italics.

Also House Bill No. 16, by Sanborn, and refer the same back for correction, amendatory portion of same not being printed in italics in accordance with the House Rules, and the title not corresponding to the body of the bill.

Also House Bill No. 23, by Morgan, and report same back with the recommendation that it do not pass.

Also House Bill No. 21, by Bradley (by request), and refer the same back to the House for the reason that the same is not in proper form, and the title is defective.

FEATHERSTONE,
Chairman

Moved by Featherstone and seconded by Hill that the report of the Judiciary Committee be adopted.

Carried.

Report adopted.

Moved by Morgan and seconded by Walker that House Bills Nos. 23 and 24 be recommitted to the Committee on Judiciary, and that he be permitted to appear before that committee in regard to these bills.

Carried and House Bills recommitted to Committee on Judiciary.

Introduction of Bills, Concurrent Resolutions and Joint Memorials.

The following House Bill was introduced:

H. B. NO. 58, BY WALKER.

An Act authorizing an additional District Judge for the Fourth Judicial District and authorizing the appointment of said additional judge to hold office until the next general election for district judges and declaring an emergency.

First Reading of House Bills, Concurrent Resolutions and Joint Memorials.

The following House Bill was read first time in full:

H. B. NO. 58, BY WALKER.

Moved by Davis and seconded by Warnick that when House adjourn today, that said adjournment be until 10-a. m. Monday.

Motion carried.

Moved by Bell and seconded by Pincock that House stand adjourned until 10 a. m. Monday, January 16, 1911.

Motion carried.

House adjourned.

CHAS. D. STOREY,
Speaker.

JAMES H. WALLIS,
Chief Clerk.

MONDAY, FIFTEENTH DAY, MORNING SESSION.

Hall of House of Representatives,
Boise, Idaho, January 16, 1911.

House met pursuant to adjournment. Mr. Speaker in the Chair.

Prayer was offered by the Chaplain.

Roll call showed all members present except Walker, and Gibson excused, and Helleckson and Wood excused on account of sickness.

The Committee on Journal submitted the following report:

Mr. Speaker:

Your Committee on Journal herewith report that they have had under consideration the Journal for the twelfth day, and find the same correct, with the exception of that paragraph entitled "County Division Opposed," on page 2, and we move that that part be stricken from the Journal and with that exception move that the Journal be approved and adopted.

WARNICK,
Chairman.

Report adopted.

Journal of the twelfth day was then read and approved.

Reports of Standing Committees.

The Committee on Printing submitted the following report:

Mr. Speaker:

We, your Committee on Printing, beg leave to report that the following bills have been correctly printed and distributed:

House Bills Nos. 28, 36 and 47.

Also that the following bills have been read by copy and corrected and sent to the printer:

House Bills Nos. 49, 50, 51, 52, 53, 54, 55, 56, 57 and 58, and House Joint Resolution No. 6.

Report accepted.

JONES,
Chairman.

Reference of Bills.

Speaker referred House Bill No. 47 to Judiciary Committee.

Reports of Standing Committees.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration House Bill No. 6, by Glennon, recommend that it do pass.

Also House Bill No. 18, by Jenson, refer same back to be correctly printed, the amendatory sections not being set in italics

Also House Bill No. 20, by Bell, referred back to be correctly printed, the amendatory sections not being set in italics.

Also House Bill No. 23, by Morgan, reported back with the recommendation that it be referred to the Committee on Roads and Bridges.

Also House Bill No. 29, by Hanmer, referred back to have the same correctly printed, the amendatory part not being set out as required by the rules.

Also House Bill No. 33, by Hill, with the recommendation that it do pass.

Also House Bill No. 36, by Glennon, returned with the recommendation that it be referred to the Committee on County Lines and Boundaries.

Also House Bill No. 35, by Arthur, and recommend that it be amended as follows: By striking out all of Section 2, and adding Sections 2 and 3 as follows, and that it do pass as amended:

"Section 2. It shall be unlawful for every proprietor, agent, employee operating or conducting or assisting to operate or conduct a pool hall, billiard hall, or pool room, billiard room, card room or other place in which pool, billiards, or games of card are played by the public, located outside of any incorporated city, town or village, to keep such pool hall, billiard hall, or card room or rooms, open to the public for the purpose of playing such games, from the hour of 10 o'clock p. m. until 7 o'clock a. m.

"Section 3. Every person violating the provisions of this act is guilty of a misdemeanor, and the Board of County Commissioners may revoke such proprietor's license."

Also the Judiciary Committee having had under consideration House Bill No. 47 report the same back with the recommendation that it do pass.

FEATHERSTONE,
Chairman.

Report of Judiciary Committee adopted.

Moved by Sanborn and Farmin, seconded by Morgan, that the Chief Clerk be instructed to have another allotment of one-cent wrappers supplied to the House members for their use.

Motion carried and Chief Clerk was so instructed.

Introduction of House Bills, Concurrent Resolutions and Joint Memorials.

The following House Bills were introduced:

H B NO. 59, BY BRADFORD.

An Act creating a State Fair Board to be known as the "Idaho State Fair Board," providing the qualification of its members and defining its powers and duties, providing for the holding and management of agricultural fairs and expositions and fixing the place of holding the same, providing for an annual appropriation for State, district and county fairs and exhibitions, authorizing the licensing of business conducted on the fair grounds, empowering the State Fair Board to purchase and hold land for fair and exposition purposes, and making an appropriation for the purchase of land and buildings for the purpose of said board

H B. NO. 60, BY JONES

An Act granting relief to Peat Parker and J. C. Pinger and appropriating therefor the sum of twenty-six hundred and eighty dollars (\$2,680), and declaring an emergency.

H B. NO. 61, BY MACABE.

An Act to amend Section 4480 of the Code of Civil Procedure of the Idaho Revised Codes, relating to exemptions, by adding thereto paragraph 13.

H. B. NO 62, BY MACABE

An Act to amend Section 3177 of the Civil Code, Revised Codes of Idaho, relating to exemption from execution, by adding paragraph 5.

H. B. NO. 63, BY MACABE.

An Act to amend Section 4479 of the Code of Civil Procedure, Revised Codes of Idaho, regarding exemption in favor of married women.

H. B. NO. 64, BY CEASER

An Act to amend Section 2143 of the Political Code of the State of Idaho so as to authorize the Board of County Commissioners, or a majority of their number when the Board is not in session, to provide for the immediate necessities of indigent persons other than at the poor farm or hospital

H. B. NO 65, BY HUTTON.

An Act to amend Section 1528 of the Political Code, Revised Codes of Idaho, defining peddlers.

H. B. NO. 66, BY NIHART.

An Act extending the time for the doing of work under certain water permits including those heretofore, as well as those hereafter issued and extending the time under certain circumstances in which beneficial use may be made of water.

H. B. NO. 67, BY JOHNSON, JAYNE, SANBORN, SORENSON AND STEPHENS

An Act for the relief of A W Lee, State Hay and Grain Inspector, appropriating nine hundred and ninety-six and 35-100 dollars (\$996 35), and declaring an emergency.

H. B. NO. 68, BY JOHNSTON (BY THE REQUEST OF THE STATE BOARD OF HEALTH OF IDAHO).

An Act to provide for the immediate registration of all births and deaths throughout the State of Idaho, by means of certificates of births and deaths, and burial or removal permits; to require prompt

returns to the bureau of vital statistics at the capital of the State, as required to be established by the State Board of Health; to insure the thorough organization and efficiency of the registration of vital statistics throughout the State; to provide certain penalties; to repeal all acts and parts of acts in conflict herewith, and to appropriate \$6,000 00 therefor; amending Sections 1088, 1089, 1090, 1091 and 1092 of the Polical Code, Revised Codes of Idaho, and repealing Section 1094, Chapter 1, Article 2, of Title 8, of said Political Code and declaring an emergency.

H. B. NO. 69, BY JOHNSTON (BY REQUEST OF THE IDAHO STATE BOARD OF HEALTH).

An Act adding an additional section, to be known as Section 1095a, to Section 1095, of the Political Code, Revised Codes of Idaho.

H. B. NO. 70, BY SANBORN.

An Act for the relief of H. C. Donagan.

H. B. NO. 71, BY COMMITTEE ON BANKS AND BANKING.

An Act providing for the appointment of a State Bank Commissioner; prescribing his qualifications, duties and compensation; fixing the capital required to do a banking business, and providing for the examination, regulation and control of banks and trust companies doing a banking business, and fixing the fees for examination; providing for the formation and conduct of banking corporations and trust companies doing a banking business and for the sale of delinquent stock thereof, and fixing the qualification and liabilities of officers, directors and stockholders of bank corporations and trust companies doing a banking business; prohibiting banking, except under the provisions of this act; providing for the liquidation of banks and banking and trust companies and the distribution of the assets thereof; making an appropriation for the carrying out of the purposes of this act; declaring an emergency, prescribing offenses and penalties and repealing other acts in conflict with this act.

First Reading of House Bills, Concurrent Resolutions and Joint Memorials.

The following House Bills were read the first time in full:

H. B. No. 59, by Bradford.

H. B. No. 60, by Jones.

H. B. No. 61, by Macabe.

H. B. No. 62, by Macabe.

H. B. No. 63, by Macabe.

H. B. No. 64, by Ceaser.

H. B. No. 65, by Hutton.

H. B. No. 66, by Nihart.

H. B. No. 67, by Johnson, Jayne, Sanborn, Sorenson and Stephens.

H. B. No. 68, by Johnston (by request of the State Board of Health).

H. B. No. 69, by Johnston (by request of the State Board of Health).

H. B. No. 70, by Sanborn.

H. B. No. 71, by Committee on Banks and Banking.

Second Reading of House Bills, Concurrent Resolutions and Joint Memorials.

The following House Bills were read the second time in full:

H. B. No. 37, by Smith.

H. B. No. 38, by Judiciary Committee.

H. B. No. 39, by Berry, by request.

H. B. No. 40, by Featherstone.

H. B. No. 41, by Johnston, Warnick and Edgington.
H. B. No. 42, by Johnston, Warnick and Edgington.
H. B. No. 43, by Jacobs, by request.
H. B. No. 44, by Bradford, Crow, Ceaser, Storey and Wilson.
H. B. No. 45, by Crow.
H. B. No. 46, substitute for House Bill No. 7, by Crow.
H. B. No. 47, substitute for House Bill No. 8, by Crow.
H. B. No. 48, substitute for H. B. No. 26, by Hill
H. B. No. 49, by Sanborn
House Bill No. 50, by Berry.
H. B. No. 51, by Glennon.
H. B. No. 52, by Black, Farmin, Sanborn and Thompson.
H. B. No. 53, by Strode and Featherstone.
H. B. No. 54, by Sorenson.
H. B. No. 55, by Smith
H. B. No. 56, by Johnson.
H. B. No. 57, by Strode.
H. B. No. 58, by Walker.
H. J. R. No. 4, by Kerby.
H. J. R. No. 5, by Kerby.
H. J. R. No. 6, by Kerby.

**Third Reading of House Bills, Joint Resolutions and Memorials and
Final Action Thereon.**

Crow moved that all rules of the House interfering with the immediate passage of House Bill No. 47 be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that House Bill No. 47, the same having been engrossed, be read the third time at length, section by section, and be put upon its final passage.

Seconded by Featherstone.

The question being on the suspension of the rules, the roll was called with the following result:

Ayes: Allred, Arthur, Baldridge, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Glennon, Hammer, Hill Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, Macabe, Nelson, Nielson, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode Taylor, Terrell, Thompson, Warnick, Mr. Speaker.

Nays: Wilson.

Total number of votes, 55. Ayes, 54. Nays, 1. Absent not voting, 4.

And so the rules were suspended and House Bill No. 47 was read at length for the third time, section by section, for final action.

The question being "Shall the bill pass?" the roll was called with the following result:

Ayes: Allred, Arthur, Bradford, Bell, Berry, Black, Bower, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Friend, Galloway, Glennon, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Jones, Kerby, Leaf, Morgan, Macabe, Nielsen, Nihart, Parker, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Warnick, Wilson, Mr. Speaker.

Nays: Bradley, Oakes.

Total number of votes, 48. Ayes, 56. Nays, 2. Absent not voting, 11

And so the bill passed, title was approved, and ordered transmitted to the Senate

Unanimous consent was given to return to the Tenth Order of Business.

Introduction of Bills, Concurrent Resolutions and Joint Memorials.

The following bill was introduced:

H. B. NO. 72, BY GLENNON.

An Act making it unlawful for any telegraph or telephone company or any person owning, controlling or operating any public telegraph or telephone line or system within this State to fail or refuse to transmit in the most expeditious manner possible and available any message presented for transmission; defining the purpose of this act, and prescribing the penalty for the violation thereof.

Moved by Davis, seconded by Hill, that House adjourn until 2 p. m.

Carried.

House adjourned.

Afternoon Session.

House met pursuant to adjournment. Mr. Speaker in the Chair

Roll call showed all members present except Gibson and Black excused, and Hellekson and Wood excused on account of sickness.

Reports of Standing Committees.

Jones, Chairman of the Committee on Printing, submitted the following report:

Mr. Speaker:

We, your Committee on Printing, beg leave to report that the following printed bills and House Joint Resolution No. 4 have been read by copy:

House Bills Nos. 27, 32, 37, 38, 39, 40, 43, 45, 47, 49, 56, 53, and found correct, with the exception of errors in printing of No. 27, and no italicized words in the following bills containing amendatory matter to the Codes:

House Bills Nos. 37, 43, 47 and 49, also House Joint Resolution No. 4, which is not the fault of the printer.

House Bill No. 59 has been read by copy and sent to the printer.

JONES,
Chairman.

Report of Printing Committee accepted.

Motions and Resolutions.

Unanimous consent was given to Jenson to withdraw House Bill No. 18.

To Sanborn to withdraw House Bills Nos. 11, 49, 15 and 16.

To Bell to withdraw House Bill No. 20.

To Bradley to withdraw House Bill No. 21.

To Crow to withdraw House Bill No. 9.

Reference of Bills.

The following House Joint Resolutions and House Bills were referred to their respective committees:

House Joint Memorial No. 1 to Committee on Federal Relations.

House Joint Resolution No. 1 to Committee on Judiciary.

House Joint Resolutions Nos. 2, 4, 5 and 6 to Committee on Judiciary.

House Bills Nos. 37, 39, 43, 45, 46, 48, 49, 50, 52, 53, 54, 56, 57 and 58 to Committee on Judiciary.

House Bills Nos. 41 and 51 to Committee on Roads, Bridges and Ferries.

House Bills Nos. 40 and 44 to Committee on Appropriations.

House Bill No. 38 to Committee on Live Stock.

House Bill No. 42 to Committee on County Lines and Boundaries.
House Bill No. 55 to Committee on Public Buildings and Grounds.
Introduction of Bills, Concurrent Resolutions and Joint Memorials.
The following House Bills were introduced:

H. B. NO. 73, BY GALLOWAY.

An Act to amend Section 2323 of Chapter 13, Title 13 of the Political Code of the Revised Codes of the State of Idaho, covering street improvement bonds and the application of the provisions of said Chapter 13, and declaring an emergency.

H. B. NO. 74, BY GALLOWAY.

An Act authorizing the Governor and Secretary of State to convey certain lots in Morehead's addition to the City of Weiser to Washington County and the City of Weiser for the purpose of erecting a public building thereon and providing conditions for said transfer, and declaring an emergency.

First Reading of House Bills, Concurrent Resolutions and Joint Memorials.

The following House Bills were read first time in full:

H. B. No. 72, by Glennon

H. B. No. 73, by Galloway.

H. B. No. 74, by Galloway.

Moved by Glennon, and seconded by Eckles, that House adjourn until 10 a. m. Tuesday, January 17, 1911.

Motion carried.

House adjourned

CHARLES D. STOREY,

JAMES H. WALLIS,

Chief Clerk.

Speaker.

TUESDAY, SIXTEENTH DAY, MORNING SESSION.

Hall of House of Representatives,
Boise, Idaho, January 17, 1911.

House met pursuant to adjournment Mr. Speaker in the Chair.

Prayer was offered by the Chaplain.

Roll call showed all members present except Walker, excused, and Hellekson and Wood excused on account of sickness

The Committee on Journal submitted the following report:
Mr. Speaker.

The Committee on Journal herewith report that they have had under consideration the Journal for the fifteenth day and find the same correct, and move that the Journal for that day be approved and adopted

WARNICK,
Chairman.

Report adopted

The Journal for the fifteenth day was read and approved.

Report of Standing Committees.

The Judiciary Committee submitted the following report.

The Judiciary Committee having had under consideration House Bill No. 43, by Jacobs, report the same back without recommendation.

FEATHERSTONE,
Chairman.

Report adopted.

Unanimous consent was given Jacobs to withdraw House Bill No. 43. The Committee on Printing submitted the following report:

Mr. Speaker.

We, your Committee on Printing, beg leave to report that the following bills have been read by copy, corrected and sent to the printer:

House Bills Nos. 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 72, 73 and 74. Also report Nos. 50 and 55 as correctly printed.

JONES,
Chairman.

Report adopted.

The Judiciary Committee submitted the following report:

Mr Speaker:

The Judiciary Committee having had under consideration Joint Resolution No. 1, by Hanmer, recommend that it do pass.

Also House Bill No. 39, by Berry (by request), recommend that it be amended as follows: That Section 2 be stricken out; that Section 1 be amended by adding thereto after the word "just" in the eighth line the following:

"That when no such order is made, or such order is not satisfactory to the party or parties desiring a stay of proceedings, then at the time when notice of intention to move for a new trial is given, or thereafter, the moving party may stay execution or proceedings on the judgment, decree, or order entered in the action, until the motion for a new trial is disposed of, by giving an undertaking, executed by at least two (2) sureties, in a sum equal to twice the amount of the judgment and costs in the case of a money judgment, or twice the value of the property, and the amount of the costs in case the judgment, decree, or order direct the sale or delivery of real or personal property; and such undertaking shall be conditioned upon the payment to the party in whose favor such judgment, decree, or order is entered of the full amount of the same, if for money, or the full value of the property, if for the delivery or possession of property, not to exceed the sum specified."

Also House Bill No. 45, By Crow, recommend that the same do pass.

Also House Bill No. 53, by Strode and Featherstone, recommend that it be amended as follows:

In Section 1, line 4, by striking out the words "or the manner in which;" in line 5 by inserting between the words "reside" and "or" the words "or as to the place or store at which he shall purchase his goods, wares or merchandise;" in lines 9 and 10, by striking out the words "or the manner in which;" in line 11 by inserting between the words "reside" and "or" the words "or as to the place or store at which he shall purchase his goods, wares and merchandise;" and by striking out of said line 11 the words "or the manner in which." In Section 2, line 4, by striking out the word "to" between the words "or" and "be," and that the same do pass as amended.

Also House Bill No. 56, by Johnson, recommend that it do pass.

FEATHERSTONE,
Chairman.

Report adopted.

Introduction of Bills, Concurrent Resolutions and Joint Memorials,

The following House Bills were introduced:

H. B. NO. 75 (SUBSTITUTE FOR H. B. NO 43), BY JACOBS (BY REQUEST.

An Act to amend Section 7158 of the Penal Code, Revised Codes of Idaho, relating to malicious injury to property.

H. B. NO. 76, BY KERBY.

An Act providing for the issuance and sale of State bonds in the sum of twenty thousand dollars (\$20,000) and appropriating the proceeds thereof for the construction of a wagon road between a point at or near the city of Boise, Ada County, and the Payette Lakes, in Boise County; authorizing the levy of an ad valorem tax to provide a sinking fund for the payment of such bonds at maturity and the accruing interest thereon; providing for a commission which shall have general control of the construction of said wagon road and of the disbursement of this appropriation, and prescribing their powers and duties as such; and providing when and how this appropriation shall be expended and disbursed.

H. B. NO. 77, BY BLACK (BY REQUEST).

An Act granting relief to F. A. Blackwell of Coeur d'Alene, Idaho; and appropriating therefor the sum of seven hundred eighteen dollars and fourteen cents (\$718 14).

H. B. NO. 78 (SUBSTITUTE FOR H. B. NO. 21, BY BRADLEY (BY REQUEST)).

An Act to amend Sections 1731, 1737, 1739 and 1743 of the Revised Codes relating to the payment and collection of taxes

H. B. NO. 79, BY JOHNSON, JAYNE, SANBORN, SORENSON AND STEPHENS.

An Act to prevent trespassing on enclosed fields for the purpose of hunting or fishing; providing for the posting of notices and providing penalty for such trespassing

H. B. NO. 80, BY SMITH.

An Act making it unlawful to pollute running streams, irrigation ditches or flumes in the State; and defining the penalty for so doing.

H. B. NO. 81, BY JOHNSON AND SORENSON.

An Act to create and organize the County of Lewis in the State of Idaho; to define the boundaries thereof; to classify said county and locate the temporary county seat, to provide for the apportionment of the indebtedness between Nez Perce and Lewis Counties; to provide for the appointment of officers in said Lewis County; to provide for the transcribing of that portion of the records of Nez Perce County pertaining to persons and property within Lewis County; to constitute the County of Lewis a part of the Second Judicial District of the State of Idaho; and for other purposes and declaring an emergency therefor.

H. B. NO. 82, BY BELL AND MORGAN.

An Act providing for the issuance and sale of State bonds in the sum of eighty thousand dollars (\$80,000.00); and appropriating the proceeds thereof to the University of Idaho for erecting and furnishing the north wing of the Administration Building; and for repaying to the regents of the University of Idaho certain money advanced by them, with interest thereon, and authorizing the levy of an annual ad valorem tax for providing a sinking fund for the payment of such bonds at maturity and interest thereon, as the same becomes due.

H. B. NO. 83, BY JAYNE.

An Act to provide for the licensing of plumbers; and to supervise and inspect plumbing in the State of Idaho, and to provide penalties for the violation thereof.

H. B. NO. 84, BY ECKLES.

An Act to amend Sections 394, 396 and 401 of the Political Code of the Revised Codes of the State of Idaho, to read as follows:

H. B. NO. 85, BY JOHNSON, JAYNE, SANBORN, STEPHENS AND SORENSON.

An Act to prevent fraud in the sale of agricultural seeds, and the regulation and sale thereof, and what shall constitute purity and viability in the various kinds of seeds; prohibiting the adulteration of and providing for the correct weighing and marking of agricultural seeds; and fixing a penalty for its violation; making it the duty of the State Agronomist to examine and pass upon the purity and viability of seeds referred to him and to furnish a statement to the Chief Inspector of the Hay and Grain Commission, providing that the State Hay and Grain Commission or its inspectors or assistants shall aid in the enforcement of the provisions of this act; making it the duty of the Prosecuting Attorney to prosecute all violations of this act; and making an appropriation therefor.

H. B. NO. 86, SUBSTITUTE FOR H. B. NO. 11, BY SANBORN.

An Act to amend Section 1837 of the Revised Codes so as to provide that fifty (50) per cent. of all license moneys therein mentioned shall be applied to and constitute a part of the general school funds of the county.

Messages From the Senate.

The following message was received from the Senate.

Boise, Idaho, January 17, 1911.

Mr. Speaker:

I have the honor to transmit herewith Senate Bill No. 20, by Macbeth and Coates, which has passed the Senate.

Also Senate Joint Memorial No. 1, by Freehafer, which has passed the Senate.

Also Senate Concurrent Resolution No. 1, by Day, which has passed the Senate.

CHARLES J. LISLE,
Assistant Secretary of Senate.

Message received.

First Reading of House Bills, Concurrent Resolutions and Joint Memorials.

The following House Bills were read first time in full:

H. B. No. 75 (substitute for H. B. No. 43), by Jacobs, by request.

H. B. No. 76, by Kerby.

H. B. No. 77, by Black, by request.

H. B. No. 78 (substitute for H. B. No. 21), by Bradley, by request.

H. B. No. 79, by Johnson, Jayne, Sanborn, Sorenson and Stephens.

H. B. No. 80, by Smith.

H. B. No. 81, by Johnson and Sorenson.

H. B. No. 82, by Bell and Morgan.

H. B. No. 83, by Jayne.

H. B. No. 84, by Eckles.

H. B. No. 85, by Johnson, Jayne, Sanborn, Stephens and Sorenson.

H. B. No. 86, by Sanborn (substitute for H. B. No. 11).

Second Reading and Reference of House Bills, Concurrent Resolutions and Joint Memorials.

The following bills were read the second time in full:

H. B. No. 59, by Bradford.

H. B. No. 60, by Jones.

H. B. No. 61, by McCabe.

H. B. No. 62, by McCabe.

H. B. No. 63, by McCabe.

H. B. No. 64, by Ceaser.

H. B. No. 65, by Hutton.

H. B. No. 66, by Nihart

H. B. No. 67, by Johnson, Jayne, Sanborn, Sorenson and Stephens

H. B. No. 68, by Johnston (by request of the State Board of Health).

H. B. No. 69, by Johnston (by request of the State Board of Health).

H. B. No. 70, by Sanborn.

H. B. No. 71, by Committee on Banks and Banking.

H. B. No. 72, by Glennon

H. B. No. 73, by Galloway

H. B. No. 74, by Galloway.

First Reading of Senate Bills, Concurrent Resolutions and Joint Memorials.

S C R. NO. 1. BY DAY.

"Be it resolved by the Senate, the House of Representatives concurring, That the Educational Committee of either the Senate or House is hereby permitted to file with the Secretary of the Senate or the Chief Clerk of the House, respectively, a statement or statements specifically designating the duties and scope of inquiry required of the joint committees which may be appointed to visit our State institutions, a copy or copies of which shall be certified to said visiting committees by said Secretary or Chief Clerk, but such instructions shall not abridge or limit the right of such committees to make such other and further inquiry as they may deem to be of value or benefit to themselves for the purposes of making a full and accurate report concerning said institutions

"Be it further resolved, That the Committee on Education in the Senate and House of Representatives shall be and the same are hereby empowered to call representatives from the various public institutions of the State before them when considering matters pertaining to education.

"Be it further resolved, That the appearance of any delegation or committee at the capitol for the purpose of influencing legislation for any particular institution or department shall be considered unwelcome."

Moved by Davis that Senate Concurrent Resolution No. 1 be referred to the Committee on Education. Seconded by Warnick.

Motion carried and Senate Concurrent Resolution No. 1 referred to Committee on Education.

The following Senate Joint Memorial and Senate Bill No. 20 were read first time in full:

S. J. M. No. 1, by Freehafer.

S. B. No. 20, by Macbeth and Coates.

General Calendar.

House went into Committee of the Whole for the consideration of House Bill No. 35, by Arthur. Bell in the Chair.

House In Session.

Bell, Chairman of the Committee of the Whole, submitted the following report:

Mr. Speaker

Your Committee of the Whole have had under consideration H. B. No. 35 and recommend that it be recommitted to the Committee on Judiciary for further consideration.

BELL,
Chairman.

Report adopted and H. B. No. 35 recommitted to the Committee on Judiciary.

Moved by Hutton and seconded by Berry that House adjourn until 2 p. m.

Motion carried.

House adjourned.

Afternoon Session.

House met pursuant to adjournment, Mr. Speaker in the chair.

Roll call showed all members present, except Walker, excused, and Hellekson and Wood, excused on account of sickness.

Reference of Bills.

Speaker referred the following House Bills to their respective committees:

H. Bs. Nos. 59, 60 and 67 to Committee on Appropriations.

H. Bs. Nos. 61, 62, 63, 64, 65, 70 and 73 to Committee on Judiciary.

H. B. No. 66 to Committee on Irrigation, Reservoirs and Reclamation.

H. Bs. Nos. 68 and 69 to Committee on Public Health.

H. B. No. 71 to Committee on Banks and Banking.

H. B. No. 72 to Committee on Railroads, Carriers and Other Public Corporations.

H. B. No. 74 to Committee on Cities, Towns and Other Municipal Corporations.

Motions and Resolutions.

Sanborn requested that Judiciary Committee report on House Bill No. 49.

Judiciary Committee reported that they would consider House Bill No. 49 this afternoon.

Unanimous consent was given Johnson to withdraw House Bill No. 85.

Introduction of Bills, Concurrent Resolutions and Joint Memorials.

The following bills were introduced:

H. B. NO. 87, BY HANMER.

An Act amending Section 2659 of the Revised Codes of Idaho, relating to the time of residence in Idaho prerequisite to the commencement of an action for divorce.

H. B. NO. 88, BY DAVIS.

An Act to amend Section 130 of the Revised Codes of Idaho.

H. B. NO. 89 (SUBSTITUTE FOR H. B. NO. 15), BY SANBORN.

An Act compelling railroads to stop any train for a sheriff or deputy sheriff, or practising physician, or veterinary surgeon to board such train, and to stop and let such sheriff, or practicing physician, or veterinary surgeon off at the place designated.

H. J. R. NO. 7, BY STRODE.

House Joint Resolution proposing the amendment of Article II of the Constitution of the State of Idaho by adding thereto Section 19, and submitting to the electors of said State for their rejection or approval the question whether said article shall be amended as to empower the Legislature to provide for the establishment of reasonable maximum rates to be charged for telegraph, telephone, electric light, gas, power, or other public service.

First Reading of House Bills, Concurrent Resolutions and Joint Memorials.

The following House Bills and Joint Memorials were read first time in full:

H. B. No. 87, by Hanmer.

H. B. No. 88, by Davis.

H. B. No. 89 (substitute for H. B. No. 15), by Sanborn

H. J. M. No. 7, by Strode.

Motions and Resolutions.

Moved by Bell, and seconded by Glennon, that Miss Lida B. Meech be employed as Committee Clerk for Committee on Appropriations, and that her per diem be fixed at \$5.00 per day

Motion carried, and Miss Lida B. Meech was declared duly elected

Moved by Davis and seconded by Strode that Maud Stites be employed as Committee Clerk to act in that capacity for the following committees: Banks and Banking; Education; Railroads, Carriers and Other Public Corporations, Military and Indian Affairs, and that her compensation be fixed in the sum of \$5.00 per day.

Motion carried and Maud Stites was declared elected.

Miss Lida B. Meech and Mrs. Maud Stites were then sworn in as committee clerks by the Speaker.

Third Reading of Senate Bills, Joint Resolutions and Memorials and Final Action Thereon.

Unanimous consent was given to return to the Ninth Order of Business.

Moved by Galloway and seconded by Eckles that all rules of the House interfering with the immediate passage of Senate Joint Memorial No. 1 be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that Senate Joint Memorial No. 1 be read the first and second times by title and the third time at length, section by section, and put upon its final passage.

The motion being on the suspension of the rules, the roll was called with the following result:

Ayes: Allred, Baldrige, Bell, Berry, Bower, Bradley, Burrell, Crow, Davis, Dunning, Eckles, Eimers, Farmin, Featherstone, Galloway, Gibson, Glennon, Hanmer, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jensen, Johnson, Kerby, Leaf, Morgan, McCabe, Nelson, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Terrell, Thompson

Nays: Arthur, Black, Bradford, Ceaser, Edgington, Friend, Johnston, Jones, Nielsen, Warnick, Wilson, Mr. Speaker.

Total number of votes, 55. Ayes, 43. Nays, 12. Absent, 4.

Senate Joint Memorial No. 1 was then read first and second time by title and third time at length. The roll was called on the final passage with the following result:

Ayes: Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jensen, Johnson, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Sorenson, Stephens, Strode, Terrell, Thompson, Warnick, Wilson, Mr. Speaker.

Nays: Johnston, Smith

Total number of votes, 55. Ayes, 53. Nays, 2. Absent, not voting, 4.

And so S. J. M. No. 1 passed and was ordered transmitted to the Senate.

Moved by Warnick and seconded by Ceaser that House adjourn until 10 a. m. Wednesday.

Motion carried.

House adjourned.

JAMES H. WALLIS, Chief Clerk.

CHARLES D. STOREY,

Speaker.

WEDNESDAY, SEVENTEENTH DAY, JANUARY 18, 1911.**Morning Session.**

Hall of House of Representatives,
Boise, Idaho, January 18, 1911.

House met pursuant to adjournment. Mr. Speaker in the Chair.

Prayer was offered by the Chaplain.

Roll call showed all members present, except Hellekson and Wood, excused on account of sickness.

Report of Committee on Journal.

The Committee on Journal submitted the following report:

Mr. Speaker:

The Committee on Journal herewith report that they have had under consideration the Journal for the sixteenth day and find the same correct, and move that the Journal for that day be approved and adopted.

WARNICK,
Chairman.

Report adopted.

The Journal for the sixteenth day was read and approved.

Reference of Bills.

Speaker referred House Bills Nos. 6, 33, 45 and 56, also H. J. R. No. 1 to Engrossing Committee.

Reports of Standing Committees.

The Committee on Printing submitted the following report:

Mr. Speaker:

We, your Committee on Printing, beg leave to report that the following House Bills have been read by copy, corrected and sent to the printer:

House Bills Nos. 71, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 86, 87, 88 and 89, and House Joint Resolution No. 7.

House Bills Nos. 69, 70, 44 and House Joint Resolution No. 5 have been read, found correctly printed and distributed.

JONES,
Chairman.

Report adopted.

Committee on Federal Relations submitted the following report:

Mr. Speaker:

The Committee on Federal Relations and Memorials to Congress, beg leave to report that they have had under consideration House Joint Resolution No. 2, and return the same to the House with the recommendation that it do pass.

BRADFORD,
Chairman.

Report adopted and H. J. M. No. 2 referred to the Engrossing Committee and ordered engrossed.

Committee on Public Buildings and Grounds submitted the following report:

Mr. Speaker:

Your Committee on Public Buildings and Grounds reports that it has had under consideration House Bill No. 55 and returns same to the House with the recommendation that it do pass.

OAKES,
Chairman.

Report adopted and House Bill 55 referred to Engrossing Committee and ordered engrossed.

Committee on Judiciary submitted the following report:

Mr. Speaker:

Your Committee on Judiciary having had under consideration House Bill No. 30, by Hendricks, report the same back to the House without recommendation.

FEATHERSTONE,
Chairman.

Report adopted.

Unanimous consent was given Hendricks to withdraw House Bill No. 30.

Committee on Judiciary submitted the following report:

Mr. Speaker:

Your Judiciary Committee having had under consideration House Bill No. 48, by Hill, recommend that it do pass

Also House Bill No. 46, By Crow, substitute for House Bill No. 7, recommend that line 13 on page 3 be amended by changing the word "at" after the word "concurrently" to "in," and after the words "House of Representatives" insert the words "House Bill No 46," and that the bill do pass as amended.

Also House Bill No. 50, by Berry, recommend that same be amended by striking out the emergency clause, and that it do pass as amended.

Also House Bill No. 49, by Sanborn, return the same to the House with the recommendation that it do not pass.

Also House Bill No. 24, by Morgan, recommend that it do not pass.

Also House Bill No. 28, by Glennon, recommend that it do pass.

FEATHERSTONE,
Chairman.

Report adopted.

House Bills Nos. 28 and 48 referred to Committee on Engrossed Bills, and ordered engrossed

Unanimous consent was given Sanborn to withdraw House Bill No. 49.

Introduction of Bills, Concurrent Resolutions and Joint Memorials.

The following bills were introduced:

H. B. NO. 90 (SUBSTITUTE FOR H. B. NO 20), BY BELL.

An Act to amend section 4 of an Act of the Legislature, approved March 15th, 1909, being an act to regulate the sale, transfer and use for service of stallions and jacks, etc., be and the same is hereby amended to read as follows:

H. B. No 91, BY BRADLEY, BERRY, OAKES AND BALDRIDGE.

An Act providing for the issuance and sale of State bonds in the sum of twenty-five thousand dollars and appropriation of the proceeds thereof for the construction of a wagon bridge across the Snake River, near the City of Payette, between Canyon County, Idaho, and Malheur County, Oregon; authorizing the levying on an ad valorem tax to provide a sinking fund for the payment of the interest and principal of said bonds; providing for a bridge commission to have control of the construction of said bridge and of the disbursement of the appropriation made by this act.

H. B. NO. 92 (SUBSTITUTE FOR H. B. NO. 85), BY JOHNSON, JAYNE, SANBORN, STEPHENS AND SORENSON.

An Act to prevent fraud in the sale of agricultural seeds; defining what are agricultural seeds and classifying same; and the regulation and sale thereof; and what shall constitute purity and viability in the various kinds of seeds; prohibiting the adulteration of, and providing for, the correct weighing and marking of agricultural seeds; and fixing a penalty for its violation; making it the duty of the State Agronomist to examine and pass upon the purity and viability of seeds referred to him, and to furnish a statement to the Chief Inspector of the Hay and Grain Commission; providing that the State Hay and Grain Commission, or its inspectors or assistants, shall aid in the en-

forcement of the provisions of this act; making it the duty of the prosecuting attorney to prosecute all violations of this act; and making an appropriation therefor.

H. B. NO. 93, BY BELL (BY REQUEST).

An Act appropriating money to pay the expenses of establishing and maintaining an exhibit of the products of the State of Idaho at the Panama-Pacific International Exposition, to be held in the City of San Francisco, California, 1915, and to provide for a commissioner therefor.

H. B. NO. 94 (SUBSTITUTE FOR H. B. NO. 18), BY JENSON)

An Act to amend Sections 1299, 1300 and 1301 of the Revised Statutes of the State of Idaho.

First Reading of House Bills, Concurrent Resolutions and Joint Memorials.

The following bills were read first time in full:

H. B. No. 90, by Bell.

H. B. No. 91, by Bradley, Berry, Oakes and Baldrige.

H. B. No. 92, by Johnson, Jayne, Sanborn, Stephens and Sorenson.

H. B. No. 93, by Bell (by request).

H. B. No. 94, by Jenson.

Second Reading and Reference of House Bills, Concurrent Resolutions and Joint Memorials.

The following House bills were read second time in full:

H. B. No. 75, by Jacobs (by request. Substitute for H. B. No. 43).

H. B. No. 76, by Kerby.

H. B. No. 77, by Black (by request).

H. B. No. 78 (substitute for H. B. No. 21), by Bradley, (by request).

H. B. No. 79, by Johnson, Jayne, Sanborn, Sorenson and Stephens.

H. B. No. 80, by Smith.

H. B. No. 81, by Johnson and Sorenson.

H. B. No. 82, by Bell and Morgan.

H. B. No. 83, by Jayne.

H. B. No. 84, by Eckles.

H. B. No. 86 (substitute for H. B. No. 11), by Sanborn.

H. B. No. 87, by Hanmer.

H. B. No. 88, by Davis.

H. B. No. 89 (substitute for H. B. No. 15), by Sanborn.

H. J. R. No. 7, by Strode.

Second Reading and Reference of Senate Bills, Concurrent Resolutions and Joint Memorials.

The following Senate Bill was read second time in full:

S. B. No. 20, by Macbeth and Coates

Committee of the Whole.

House went into Committee of the Whole for the consideration of House Bills Nos. 39 and 53, Davis in the chair.

House in Session.

The Committee of the Whole submitted the following report:

Mr. Speaker:

The Committee of the Whole have had under consideration House Bill No. 39, as amended by the Judiciary Committee, recommend that it be recommitted to said committee for further consideration

Also House Bill No. 53, as amended by the Judiciary Committee, and recommend that it be passed as amended.

Report adopted.

DAVIS,
Chairman

Amendments to House Bill No 53 referred to the Committee on Printing and ordered printed.

Unanimous consent was given to return to the eighteenth order of business

Message From the Senate.

The following message was received from the Senate:

Mr. Speaker

I have the honor to transmit herewith House Concurrent Resolution No. 2, by Black, as amended by the Senate, which has passed the Senate.

CHARLES J. LISLE,

Assistant Secretary of Senate.

Moved by Black, and seconded by Davis, that House Concurrent Resolution No. 2, as amended by the Senate, be adopted.

Moved by Morgan, as a substitute motion, and seconded by Hutton, that House Concurrent Resolution No 2, as amended by the Senate, be further amended as follows: "Strike out the words 'any member of the Legislature, or by the Governor of the State of Idaho,' in lines 6 and 7 of paragraph 2 thereof."

Morgan moved the previous question.

Seconded.

Roll call was demanded on the amendment by Morgan with the following result:

Ayes—Dunning, Eckles, Galloway, Gibson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jayne, Jenson, Kerby, Leaf, Morgan, Nelson, Parker, Pincock, Sorenson, Stephens, Terrell, Walker.

Nays—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Edgington, Eimers, Farmin, Featherstone, Friend, Glennon, Hanmer, Jacobs, Johnson, Johnston, Jones, McCabe, Nielsen, Nihart, Oakes, Sanborn, Smith, Taylor, Thompson, Warnick, Wilson, Mr. Speaker

Total number of votes, 56. Ayes, 21. Nays, 35. Absent, 3.

Amendment lost

Moved by Black, and seconded by Davis, that House Concurrent Resolution be adopted.

The question on Black's motion was called for, and Speaker ordered the calling of the roll

Galloway offered an amendment to the resolution.

Speaker ruled amendment out of order as the vote had been ordered

Kerby moved an appeal from the ruling of the chair.

The Chair was sustained on viva voce vote.

Roll call was then demanded on the adoption of the resolution by Black, with the following results.

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Edgington, Eimers, Farmin, Featherstone, Friend, Glennon, Hanmer, Jacobs, Johnson, Johnston, Jones, McCabe, Nielsen, Nihart, Oakes, Sanborn, Smith, Taylor, Thompson, Warnick, Wilson, Mr. Speaker

Nays—Dunning, Eckles, Galloway, Gibson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jayne, Jenson, Kerby, Leaf, Morgan, Nelson, Parker, Pincock, Sorenson, Stephens, Terrell, Walker.

Total number of votes, 56 Ayes, 35. Nays, 21. Absent, 3.

Motion carried, and resolution adopted

Moved by Bell, and seconded by Pincock, that House adjourn until 2:30 p m

Motion carried

House adjourned.

Afternoon Session.

House met pursuant to adjournment. Mr. Speaker in the Chair.

Roll call showed all members present except Wood and Hellekson excused on account of sickness.

Reference of Bills.

Speaker referred the following bills to their respective committees: House Bills Nos. 75, 78, 83, 84, 86, 87, 88 and H. J. R. No. 7 to Committee on Judiciary.

House Bill 76 to Committee on Roads, Bridges and Ferries.

House Bill No. 77 to Committee on Appropriations.

House Bill No. 79 to Committee on Fish and Game.

House Bill No. 80 to Committee on Public Health.

House Bill No. 81 to Committee on County Lines and Boundaries.

House Bill No. 82 to Committee on Appropriations.

House Bill No. 89 to Committee on Railroads, Carriers and Other Public Corporations.

Senate Bill No. 20 to Committee on Irrigation, Reclamation and Reservoirs.

A communication was received from the Oregon Short Line by Joel L. Priest, industrial agent, inviting the House members to visit the Oregon Short Line demonstration train at 4:30 p. m.; also to attend a meeting at 8 o'clock p. m. at the Boise Commercial Club rooms

Report of Standing Committee.

The Committee on Printing submitted the following report:
Mr. Speaker:

We, your Committee on Printing, beg leave to report that the following bills have been read, correctly printed and distributed.

House Bills Nos. 41, 46 and 51.

JONES,
Chairman.

Report adopted.

Introduction of Bills, Concurrent Resolutions and Joint Memorials.

The following House Bills were introduced:

H. B. NO. 95, BY MORGAN (BY REQUEST).

An Act granting relief to the Boise Exploration and Mining Company of Boise, Idaho, and appropriating therefor the sum of ninety dollars.

H. B. NO. 96, BY SMITH

An Act providing for the issuing and sale of State bonds in the sum of ten thousand dollars (\$10,000), and appropriating the proceeds thereof for the construction of a wagon bridge across the Snake River between the Counties of Lincoln and Twin Falls, Idaho; and authorizing the levy of an annual ad valorem tax to provide a sinking fund for the payment of such bonds at maturity and the interest thereon as the same becomes due, providing that the cost and fair value of said bridge shall not be less than twelve thousand dollars (\$12,000), and that the additional amount over and above the sum of ten thousand dollars (\$10,000) shall be raised from other sources and made available to the satisfaction of the Governor of Idaho before the proceeds of the sale of said bonds or any part thereof shall be available; providing for a bridge commission to have general control of the construction of said bridge and of the disbursement of the appropriation made by this act.

H. B. NO. 97, BY MORGAN.

An Act to appropriate twelve thousand dollars (\$12,000), or so much thereof as may be necessary for the purchase from the United States of the lands included within the park created out of the Coeur d'Alene Indian Reservation by the Act of Congress of April 30, 1908 (35 Statutes at Large, 78), and providing for the purchase of said land and for the repayment of said sum of money to the treasury of

the State of Idaho from the fish and game fund; to name said Park Heyburn Park; to create a board of control for the government of said park and to define the duties of said board; to provide for the appointment of a superintendent of said park and to define his duties and fix his compensation; and to repeal an act approved March 16, 1909 (Session Laws, 1909, pp 388-390), and all acts and parts of acts in conflict herewith

H. B. NO. 98, BY GLENNON

An Act to authorize the summary adjudication of such water rights as have been omitted from, or are not included in, a decree determining the priority rights to the use of the waters of any stream, canal or reservoir in this State.

Message From the Senate.

The following message was received from the Senate:
Mr. Speaker

I have the honor to transmit herewith House Bill No 47 (substitute for House Bill No 8), by Crow, which has passed the Senate

Also Senate Concurrent Resolution No 2, by Haight, which has passed the Senate.

CHARLES J. LISLE,
Assistant Secretary of Senate

Reference of Bills.

Speaker referred House Bill No 47 (substitute for H. B. No. 8), to Enrolling Committee.

First Reading of House Bills, Concurrent Resolutions and Joint Memorials.

The following House Bills were read first time in full:

H. B No. 95, by Morgan (by request).

H. B No. 96, by Smith.

H. B. No. 97, by Morgan.

H. B. No. 98, by Glennon.

First Reading of Senate Bills, Concurrent Resolutions and Joint Memorials.

The following Senate Concurrent Resolution was read in full the first time:

S. C R. NO 2, BY HAIGHT.

Be It Resolved by the Senate, House of Representatives Concurring:

That the people of California, having through their own efforts raised the sum of seventeen million, five hundred thousand dollars (\$17,500,000) to be devoted to the purposes of the Panama-Pacific International Exposition, to be held at the City of San Francisco, State of California, in 1915, have hereby gained the support and co-operation of all the States of the Pacific slope, which are destined to profit through the holding of this great celebration, and,

That the Government of the United States has been given satisfactory assurance that the undertaking will be financed and successfully accomplished through the joint efforts of the Western States, and,

That the opening of the Panama Canal is of first importance to the Pacific Coast and all tributary communities;

Wherefore, we respectfully request the Congress of the United States to sanction the holding of the international celebration of 1915 at the City of San Francisco, State of California

Moved by Davis and seconded by Bell that the resolution be adopted.
Motion carried and resolution ordered transmitted to the Senate.

Moved by Black, seconded by Gibson, that House adjourn until 10 a. m. Thursday, January 19, 1911.

Motion carried.

House adjourned.

CHARLES D. STOREY,
Speaker.

JAMES H. WALLIS,
Chief Clerk.

THURSDAY, EIGHTEENTH DAY, JANUARY 19, 1911.

Morning Session.

Hall of House of Representatives,
Boise, Idaho, January 19, 1911.

House met pursuant to adjournment. Mr. Speaker in the Chair.

Prayer was offered by the Chaplain.

Roll call showed all members present, except Hellekson and Wood, excused on account of sickness.

The Committee on Journal submitted the following report:

Mr. Speaker:

The Committee on Journal herewith report that they have had under consideration the Journal for the seventeenth day and find the same correct, and move that the Journal for that day be approved and adopted.

WARNICK,
Chairman

Journal for the seventeenth day was then read, and on motion was referred back to the Committee on Journal for correction.

Appointment of Special Committee.

The Speaker appointed the following members of the House to act with the Senate members on the Joint Investigating Committee as provided by H. C. R. No. 2, by Black: Black, Baldrige, Davis, Terrell and Hellekson.

The Senate was duly notified of their appointment by transmission of message.

Reports of Standing Committees.

The Committee on Public Health submitted the following report:

Mr. Speaker:

We, your Committee on Public Health, having had under consideration House Bill No. 69, report the same back to the House without recommendation, for the purpose of allowing the same to be withdrawn and a substitute filed.

CROW,
Chairman.

Report adopted.

Unanimous consent was given Johnston to withdraw House Bill No 69.

Committee on Printing submitted the following report:

Mr. Speaker:

We, your Committee on Printing, beg leave to report that the following bills have been read by copy and sent to the printer:

House Bills Nos. 91, 92, 94, 95, 96, 97 and 98.

And that the following bills have been received from the printer, found to be correctly printed, and have been distributed:

House Bills Nos. 48, 54, 57, 60, 63, 64, 66, 67, 74, 75 and 88

JONES,
Chairman.

Report adopted.

Committee on Judiciary submitted the following report:
Mr. Speaker:

Your Committee on Judiciary having had under consideration House Joint Resolutions Nos 4, 5 and 6, by Kerby, return the same to the House without recommendation

Also House Bill No. 35, by Arthur, recommend that Section 1 be amended by adding the following.

"Or for any proprietor of any such room, hall or place to keep the same open for the entertainment of the public between the hours of 12 p m and 7 a m."

That Section 2 be changed to read:

"It shall be unlawful for any person under the age of twenty-one (21) years to enter or gain admission to any of the places described in the preceding section, except for the purpose of delivering goods, wares or merchandise, or message, or having gained admission for a lawful purpose, to remain therein for any purpose whatever"

That Section 3 be added, reading the same as section 2:

Recommend that same be further amended by striking out of line 2, section 1, the word "a" between the words "conduct" and pool" and inserting the words "for profit, a commercial;" in line 3, after the word "place" and before the word "in" the words "operated for profit," and in line 4 before the word "public," insert the word "general;" and with the above amendments that the same do pass as amended

Also House Bill No. 4, by Ceaser, recommend that same be amended by changing the first "nor" in line 8 "or" "refreshments, candies and cigars," should not be italicised, and the last "nor" in said line should be changed to "or" In line 9 the word "nor" after the word "stands" should be changed to "or" and the word "fruit" changed to "fruits" and "vegetables." In line 10 the words "and other perishable goods" stricken out and the word "are" changed to "is," and with the above amendments that it do pass as amended.

Also House Bill No. 22, by Ceaser, report that it do pass

FEATHERSTONE,

Chairman.

Minority Report, Judiciary Committee.

Terrell on the part of the minority of the Judiciary Committee submitted the following reports:

Mr. Speaker.

Your Judiciary Committee having had under consideration House Bill No. 22, by Ceaser, as a member of said committee, the following minority report is submitted.

I recommend that said House Bill No 22 be amended as follows:

Insert the words "theater, playhouse, moving picture show" between the words "any" and "dance" in line 8; insert the words "or to operate any scenic railway" after the word "amusement" in line 10; strike out the words "provided," this section shall not apply to theaters, play houses, moving picture shows or scenic railways" in lines 10 and 11, said bill, when amended, will read as follows:

Section 1. That Section 6825 of the Penal Code of the State of Idaho be, and the same is hereby, amended to read as follows:

Section 6825 It shall be unlawful for any person or persons in this State to keep open on Sunday any saloon, or place of any kind or description in which spirituous, vinous, malt, or any intoxicating liquors are at any time sold or exposed for sale, to be sold or exposed for sale, or to give, sell or otherwise dispose of any spirituous, vinous, malt, or any intoxicating liquors except as provided for in other parts of the chapter or to keep open any play house, theater, moving picture show, dance house, race track, merry-go-round, circus or show,

concert saloon, billiard, or pool room, bowling alley, variety hall, or any such place of public amusement, or to operate any scenic railway. Any person or persons violating this section shall be guilty of a misdemeanor and on conviction thereof shall be fined in any sum not less than thirty dollars nor more than two hundred and fifty dollars for each offense and shall be punished by imprisonment in the county jail not to exceed ninety days, and upon a second conviction any license which may have been granted for opening and maintaining any such place of business shall also be rendered void, and shall not be renewed within two years next thereafter.

R. M. TERRELL,

Member Judiciary Committee.

Also your Judiciary Committee having had under consideration House Bill No. 4, by Ceaser, as a member of said committee, the following minority report is offered:

I recommend that said bill be amended as follows:

Insert the words "when the same are not sold or dispensed over a saloon bar" between the words "refreshments" and "candies" in line 8; insert the words "fresh fruits" between the words "candies" and "and" in said line 8; insert the words "in so far as the quiet sale of their products is concerned" between the words "bakeries" and "nor" in line 9; strike out the words "nor to fruit stores so far as the sale of fruit, vegetables and other perishable goods are concerned" in lines 9 and 10; that said bill when amended will read as follows:

Section 1. That Section 6824 of the Penal Code of the State of Idaho be and the same is hereby amended to read as follows:

Section 6824. It shall be unlawful for any person or persons in this State to keep open on Sunday for the purpose of any business, trade, or sale of goods, wares, or merchandise, any shop, store, building, or place of business, whatever: Provided, That hotels and restaurants may furnish lodging and meals; and: Provided, That this section shall not apply to livery stables, or to stores in so far as the sale of medicines or sick room supplies are concerned, or to undertakers while providing for the dead, or to newsstands in so far as the quiet sale and delivery of daily papers and magazines is concerned, not sold or dispensed over a saloon bar, nor to candies, fresh fruits and not sold or dispensed over a saloon bar, nor to candies, fruits and cigars, nor to bakeries in so far as the quiet sale of their products is concerned, or shoe shining stands.

Any person or persons violating this section shall be guilty of a misdemeanor, and on conviction thereof shall be fined in any sum not less than twenty-five dollars nor more than one hundred dollars, or shall be imprisoned in the county jail not to exceed thirty days and upon a second conviction shall be punished by both such fine and imprisonment.

R. M. TERRELL,

Member Judiciary Committee.

Reports of Judiciary Committee with minority reports on House Bills Nos. 4 and 22 referred to the Committee of the Whole and placed on the General Calendar.

The Committee on Mines and Mining submitted the following report:

Mr. Speaker:

Your Committee on Mines and Mining, having had under consideration House Bill No. 14, by Farmin, Jones and Sanborn, recommend that it do not pass.

FRIEND,
Chairman.

Report adopted.

Motions and Resolutions.

Kerby moved, seconded by Hill, that H. J. R. Nos. 4, 5, and 6 be recommitted to the Judiciary Committee.

Davis moved as a substitute motion that those resolutions be laid on the table. Seconded by Warnick.

Morgan then moved as a substitute for all pending motions that H. J. R. Nos. 4, 5 and 6 be referred to the Committee on Privileges and Elections. Seconded by Jenson.

Motion carried and H. J. R. Nos. 4, 5 and 6 referred to Committee on Privileges and Elections

Introduction of Bills, Concurrent Resolutions and Joint Memorials.

The following bills were introduced:

H. B. NO. 99 (SUBSTITUTE FOR H. B. NO. 69), BY JOHNSTON (BY REQUEST OF IDAHO STATE BOARD OF HEALTH).

An Act amending Section 1085 of the Revised Codes of Idaho relating to the powers and duties of the State Board of Health.

H. B. NO. 100, BY SMITH (BY REQUEST).

An Act appropriating one hundred and twelve thousand, five hundred dollars (\$112,500 00) for use in conducting experiments and demonstrations along various lines in connection with the University of Idaho and State Experiment Stations; for the purchase of live stock for instruction and experiment purposes, for the purchase or condemnation of additional land for the University and Experiment Station Farm, for the purpose of erecting and equipping barns and stables for live stock; and for conducting farmers' institutes and extension school of agriculture, and for the employment of field experts in agriculture, and for other purposes; and declaring an emergency.

H. B. NO. 101, BY TAYLOR.

An Act to amend Section 7192 of the Revised Codes of Idaho in relation to the restrictions on hunting game.

H. B. NO. 102, BY CEASER.

An Act to repeal Section 1471 of the Political Code of the State of Idaho.

H. B. NO. 103, BY FARMIN, JONES AND SANBORN.

An Act providing for the release of property from a claim or notice of lien filed, as provided in Sections 5115, 5131, or 5142, of the Code of Civil Procedure upon the filing of an undertaking.

H. B. NO. 104, BY JAYNE.

An Act to provide for the drainage of wet lands, and for a right-of-way to drain surplus irrigation water.

H. B. NO. 105, BY THE COMMITTEE ON PUBLIC HEALTH.

An Act regulating and governing creameries, dairies, milk men and dairy men and the keeping, supply and sale of milk, butter and milk products; providing penalties for the violation thereof, and declaring an emergency.

H. J. R. NO. 8, BY BRADLEY.

A joint resolution proposing an amendment of Section 24 of Article 3 of the Constitution of the State of Idaho so as to forever prohibit the manufacture and sale of spirituous, vinous, malt and intoxicating liquors within the State of Idaho, except for medicinal, mechanical or scientific purposes, and wines for sacramental purposes; and directing the Legislature to pass adequate laws for the enforcement of said section.

Unanimous consent was given Walker to withdraw House Bill No. 25 and introduce a substitute for the same

H. B. NO. 106 (SUBSTITUTE FOR HOUSE BILL NO. 25), BY WALKER.

An Act to amend Section 1692 of the Revised Codes of Idaho, relating to the equalization of taxes providing for an appeal for the County Board of Equalization.

First Reading of House Bills, Concurrent Resolutions and Joint Memorials.

The following bills were read first time in full:

H. B. No. 99, by Johnston (by request of the State Board of Health).

H. B. No. 100, by Smith, (by request).

H. B. No. 101, by Taylor.

H. B. No. 102, by Ceaser.

H. B. No. 103, by Farmin, Jones and Sanborn.

H. B. No. 104, by Jayne.

H. B. No. 105, by Committee on Public Health.

H. B. 106, by Walker, (substitute for H. B. No. 25).

H. J. R. No. 8, by Bradley.

First Reading of Printed Amendments to House Bills.

Amendments to the following House Bill was read in full first time:
Amendments to House Bill No. 53.

Second Reading and Reference of House Bills, Concurrent Resolutions and Joint Memorials.

The following House Bills were read second time in full:

H. B. No. 90, by Bell.

H. B. No. 91, by Bradley, Berry, Oakes and Baldridge.

H. B. No. 92, by Johnson, Jayne, Sanborn, Stephens and Sorenson.

H. B. No. 93, by Bell, (by request).

H. B. No. 94, by Jenson.

H. B. No. 95, by Morgan.

H. B. No. 96, by Smith.

H. B. No. 97, by Morgan.

H. B. No. 98, by Glennon.

General Calendar.

House resolved itself into Committee of the Whole for consideration of general calendar, Johnston in the chair.

House in Session.

Committee of the Whole submitted the following report:

Mr. Speaker:

The Committee of the Whole has had under consideration House Bill No. 46, and recommend it be amended as follows: In line 12, page 3, by changing the word "at" after the word "concurrently" to "in."

Also House Bill No. 50, and recommend the emergency clause be stricken out.

JOHNSTON,
Chairman.

Report adopted.

Reports of Standing Committees.

Committee on Enrolled and Engrossed Bills submitted the following report:

Mr. Speaker:

We, your Committee on Engrossed and Enrolled Bills, to whom

House Bill No. 47 was referred, beg leave to report that the same has been correctly enrolled.

GLENNON,
Chairman

Report adopted.

Speaker announced that he was about to sign House Bill No. 47 (substitute for House Bill No. 8).

House Bill No. 47 was then signed by the Speaker and ordered transmitted to the Senate.

Moved by Sanborn, and seconded by Pincock, that House adjourn until 2 p. m.

Motion carried.

House adjourned.

Afternoon Session.

House met pursuant to adjournment. Mr. Speaker in Chair.

Roll call showed all members present, except Hellekson and Wood excused

Message From the Governor.

The following message was received from the Governor.

Mr. Speaker

I have the honor to inform you that I have approved and signed House Bill No. 47, Substitute for House Bill No. 8, by Crow, and filed the same with the Secretary of State, this nineteenth day of January, one thousand nine hundred and eleven, at 12 o'clock noon.

JAMES H. HAWLEY,
Governor.

Reference of Bills.

Speaker referred the following House Bills to their respective committees:

House Bills Nos 90 and 94 to Committee on Judiciary.

House Bills Nos 93 and 97 to Committee on State Affairs.

House Bills Nos 91 and 96 to Committee on Roads, Bridges and Ferries.

House Bill No. 92 to Committee on Agriculture and Horticulture.

House Bill No. 95 to Committee on Appropriations.

H. B. No. 98 to Committee on Irrigation, Reclamation and Reservoirs.

Reports of Standing Committees.

The Committee on Journal submitted the following report:

Mr. Speaker:

Your Committee on Journal to whom was referred the further correction of the Journal for the 17th day, report as follows:

On page 4 strike out the last six lines and on page 5 the first two lines insert the following in lieu thereof

"The question on Black's motion was called for and the speaker stated the question and instructed the Clerk to call the roll.

"Galloway offered an amendment to the resolution which was ruled to be out of order by the Speaker, for the reason that voting had commenced.

"Kerby moved an appeal from the decision of the Chair.

"The chair was sustained by a viva voce vote

"Morgan moved the House adjourn. Seconded by Galloway.

"Motion lost.

"The Speaker instructed the clerk to proceed with the roll call which was done with the following result:"

WARNICK,
Chairman.

Davis moved the report of the Journal Committee be adopted. Seconded by Warnick.

Morgan moved as a substitute for the report of the Journal Committee, the following:

I move to strike out the last eight lines on page 4 and substitute in lieu thereof the following:

The question on Black's motion was called for and the Speaker stated the question and instructed the Clerk to call the roll.

Galloway and Hutton offered amendments to the resolution, which were ruled to be out of order by the Speaker, for the reason that the voting had commenced.

Kerby moved an appeal from the decision of the Chair.

The Chair was sustained by a viva voce vote.

The question was again called for, and a roll call having been demanded the Speaker ordered the Clerk to call the roll, which was done with the following result:

Morgan's motion was seconded by Hill.

Crow moved the previous question. Seconded by Morgan.

Motion carried.

Roll call was then demanded on the substitute by Morgan with the following result:

Ayes: Dunning, Eckles, Galloway, Gibson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jayne, Jenson, Kerby, Leaf, Morgan, Nelson, Parker, Pincock, Sanborn, Sorenson, Stephens, Strode, Terrell, Walker.

Nays—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Edgington, Elmers, Farmin, Featherstone, Friend, Glennon, Hanmer, Jacobs, Johnson, McCabe, Nielsen, Nihart, Oakes, Smith, Thompson, Warnick, Wilson, Mr. Speaker.

Total number of votes, 54. Ayes, 23. Nays, 31. Absent not voting, 5.

And so the substitute motion by Morgan was declared lost.

Speaker then ruled the question was on the adoption of the original motion.

Kerby appealed from the decision of the Chair. Seconded by Leaf.

Speaker was sustained on a viva voce vote.

Question was then called on the adoption of the report of the Journal Committee.

Carried.

Introduction of Bills, Concurrent Resolutions and Joint Memorials.

The following bills were introduced:

H. B. NO. 107, BY BOWER.

An Act authorizing and directing the State Board of Education to cause to be erected a building near Gooding, Idaho, for the use of the deaf and blind and as a part of the Idaho State School for the Deaf and Blind; providing for the issuance and sale of State bonds in the sum of fifty thousand dollars (\$50,000) and appropriating the proceeds thereof to the erection of said building; and providing for a levy of a tax to pay the principal and interest of said bonds; and declaring an emergency.

H. B. NO. 108, BY FARMIN.

An Act creating the office of Commissioner of Taxation and prescribing the duties, powers and compensation thereof; providing for the attendance of witnesses by subpoena, and fixing a penalty for non-attendance; and providing for meetings of the State Board of Equalization.

H. B. NO. 109, BY COMMITTEE ON PUBLIC HEALTH.

An Act relating to hotels, inns and public lodging houses, restaurants, boarding houses and places where food, drink and refreshments are served to the public; defining a hotel; requiring fire escapes and other means of protection from fire; providing for the ventilation and sanitation of hotels, restaurants, boarding houses and places where food, drink and refreshments are served to the public, and requiring the furnishing of clean linen and bedding for the use of the guests of hotels; establishing an minimum size of sheets for beds; conferring upon the State Dairy, Food and Sanitary Inspector the power to enforce the provisions of this act; providing for an annual inspection fee, fixing penalties for violation of the provisions of this act; and repealing all acts and parts of acts in conflict herewith.

Message From the Senate.

The following message was received from the Senate:

Mr. Speaker:

I have the honor to transmit herewith Senate Joint Memorial No. 2, by Kerns, which has passed the Senate

CHAS. J. LISLE,
Assistant Secretary of Senate.

First Reading of House Bills, Concurrent Resolutions and Joint Memorials.

The following bills were read first time in full:

H. B. No 107, by Bower.

H. B. No. 108, by Farmin.

H. B. No. 109, by Committee on Public Health.

First Reading of Senate Bills, Concurrent Resolutions and Joint Memorials.

The following Senate Joint Memorial was read first time in full:

S. J. M. No. 2, by Kerns.

General Calendar.

House went into Committee of the Whole for consideration of the General Calendar. Morgan in the Chair.

House In Session.

The Chairman of the Committee of the Whole submitted the following report:

Mr. Speaker:

The Committee of the Whole have had under consideration House Bill No 35, as amended by the Judiciary Committee, and recommend that said bill as amended be passed, with the exception that the age limit be raised to 19 years, as provided by the following amendment by Crow, which was adopted by the Committee of the Whole:

Resolved, That in H. B. No. 35 the word "nineteen" be substituted for the word "twenty-one" wherever it occurs in the bill.

Your committee has also had under consideration H. B. No. 4, as amended by the Judiciary Committee, in connection with the minority report of said committee, and recommend that the minority report be adopted and that H. B. No. 4 as amended by the minority report be passed

MORGAN,
Chairman.

Morgan moved the adoption of the report. Seconded by Johnston. Motion carried.

Hanmer moved that House adjourn until 10 a. m. Friday. Seconded by Warnick.

Motion carried.

House adjourned.

CHARLES D. STOREY,
Speaker.

JAMES H. WALLIS,
Chief Clerk.

FRIDAY, NINETEENTH DAY, MORNING SESSION.

Hall of House of Representatives,
Boise, Idaho, January 20, 1911.

House met pursuant to adjournment. Mr. Speaker in the chair.

Roll call showed all members present, except Wood and Hellekson, excused on account of sickness, and Leaf excused.

Committee on Journal submitted the following report:

Mr. Speaker:

Your Committee on Journal herewith report that they have had under consideration the Journal for the 18th day and have corrected the same, and move that the Journal, so corrected, for that day be approved and adopted.

WARNICK,
Chairman.

Journal for 18th day was read. Kerby moved that the Journal on page 7, after the words "Speaker then ruled the question was on the adoption of the original motion," be amended by adding the following:

Kerby of Boise arose and addressed the Speaker and was recognized by the Speaker, and began to discuss the original motion.

Crow of Ada raised the point of order that the original motion was not debatable because the previous question had been moved.

The Speaker held that the point was well taken and that Kerby was out of order. Kerby appealed from the decision of the Chair. The Chair was sustained.

Motion by Kerby was seconded by Crow.

Adopted.

Moved by Warnick and seconded by Morgan that the Journal, as corrected, be approved.

Motion carried and Journal as corrected approved.

Presentation of Petitions and Communications.

Terrell asked that he be excused from serving on the Joint Investigating Committee as provided by H. C. R. No. 2, by Black. The request of Terrell was granted by the Speaker.

Speaker then appointed Galloway to act in place of Terrell.

Reports of Standing Committees.

The Committee on Printing submitted the following report:

Mr. Speaker:

Your Committee on Printing herewith report that we have had correctly printed and distributed House Bills Nos. 52, 72, 78, 79, 82, 83 and 86, and amendments to House Bill No. 53 and H. J. R. Nos. 6 and 7.

The following bills have been read by copy, corrected and sent to the printer: House Bills Nos. 99, 100, 101, 102, 103, 104, 105, 106, 107, 108 and 109, and House Joint Resolution No. 8.

Also report that we have had correctly printed and distributed House Bills Nos. 17, 59, 61, 76, 73, 95, 87, 62, 65, 80 and 77.

And that the following bills have been read by copy and sent to the printer:

House Bill No. 93.

JONES,
Chairman.

Report accepted.

The Committee on Railroads, Carriers and Other Public Corporations having had under consideration H. B. No. 89, substitute for H. B. No. 15, by Sanborn, return same to the House without recommendation.

L. E. GLENNON,
H. M. SANBORN,
E. L. PARKER,
JOHN HYDE,
C. JENSON,
Majority

Mr. Speaker:

As a minority report on H. B. No. 89, substitute for H. B. No. 15, by Sanborn, we recommend that the bill do not pass.

E. G. DAVIS,
B. S. CROW,
Minority.

Reports received.

Committee on Engrossed and Enrolled Bills submitted the following report:

Mr. Speaker:

We, your Committee on Engrossed and Enrolled Bills, beg leave to report that the following bills and House joint resolutions have been correctly engrossed and are ready for third reading.

House Bills Nos. 6, 48, 28, 33, 45, 55 and 56.

House Joint Resolutions Nos. 1 and 2.

GLENNON
Chairman.

Report received and bills filed for third reading.

Motions and Resolutions.

Moved by Farmin and seconded by Glennon that 100 extra copies of H. B. No. 108 be printed, that they may be placed before the assembled county assessors

Motion carried and so ordered.

Galloway presented the resignation of Hellekson on the Joint Investigating Committee, as provided by H. C. R. No. 2, by Black, stating that Hellekson was sick and confined in the hospital and therefore unable to serve.

Resignation was accepted by the Speaker.

Introduction of House Bills, Concurrent Resolutions and Joint Memorials.

The following House Bills were introduced:

H. B. NO. 110, BY TAYLOR

An Act providing for the issuance and sale of State bonds in the sum of twelve thousand dollars (\$12,000); appropriating the proceeds therefrom for the construction of a wagon bridge across Snake River at a point north of the north end of Overland avenue of the Village of Burley, on the north and south center line of section 17, township 10 south, range 23 east of the Boise meridian, between Cassia and Lincoln Counties, State of Idaho; authorizing the levy of an annual ad valorem tax to provide a sinking fund for the payment of such bonds at maturity and the interest thereon as the same shall become due;

and providing for and authorizing the construction of such bridge; providing that the cost and fair value of such bridge shall not be less than twenty thousand dollars (\$20,000); that the additional amount over and above twelve thousand dollars (\$12,000) shall be raised from other sources and made available to the satisfaction of the Governor of Idaho before the proceeds of the sale of said bonds or any part thereof shall be available; providing for a bridge commission to have general control of the construction of said bridge and of the disbursement of the money appropriated by this act, and declaring an emergency.

H. B. NO. 111, BY SMITH.

An Act relating to final proof on Carey Act land entries in case of the death of the entryman.

H. B. NO. 112, BY SMITH.

An Act relating to fees for recording water contracts.

HOUSE BILL NO. 113, BY FARMIN, SANBORN AND JONES.

An Act providing for the issuance and sale of State bonds in the sum of twenty-five thousand dollars (\$25,000), and appropriating the proceeds thereof for the construction of a wagon road between Kootenai and Idaho-Montana State line near Cabinet, Bonner County, Idaho; authorizing the levy of an ad valorem tax to provide a sinking fund for the payment of such bonds at maturity and the accruing interest thereon; providing for a commission which shall have general control of the construction of said wagon road and of the disbursement of this appropriation, and prescribing its powers and duties as such; and providing when and how this appropriation shall be expended and disbursed.

HOUSE BILL NO. 114, BY WALKER.

An Act amending Section 3822 of the Revised Codes of the State of Idaho relating to the ejection of passengers from cars or railroad trains.

HOUSE BILL NO. 115, BY CROW.

An Act to amend Section 3153 of the Revised Codes of Idaho.

HOUSE BILL NO. 116, BY CROW

An Act to amend Sections 3130, 3131, 3132, 3133 and 3134 of the Revised Codes of Idaho, relating to acknowledgments.

HOUSE BILL NO. 117, BY CROW.

An Act to amend Section 4427 of the Revised Codes of Idaho.

Message From the Senate.

The following message was received from the Senate:
Mr. Speaker:

I have the honor to transmit herewith the names of Senators Preston, Williams and Mitchell as the Senate members of the Legislative Joint Investigating Committee, as provided for by House Concurrent Resolution No. 2, by Black, as amended by the Senate and adopted by the House of Representatives.

CHARLES J. LISLE,
Assistant Secretary of Senate.

Second Reading and Reference of House Bills, Concurrent Resolutions and Joint Memorials.

The following House Bills and House Joint Resolutions were read second time in full:

H. B. No. 99 (Substitute for H. B. No. 69), by Johnston (by request of State Board of Health).

H. B. No. 100, by Smith (by request).

H. B. No. 101, by Taylor.

H. B. No. 102, by Ceaser

H. B. No. 103, by Farmin, Jones and Sanborn.

H. B. No. 104, by Jayne.

H. B. No. 105, by the Committee on Public Health.

H. B. No. 106 (substitute for H. B. No. 25), by Walker.

H. B. No. 107, by Bower.

H. B. No. 108, by Farmin

H. B. No. 109, by Committee on Public Health.

H. J. R. No. 8, by Bradley

Second Reading of Printed Amendments to House Bills.

The following amendment to House Bill was read second time in full:

Amendment to H. B. No. 53.

Third Reading of House Bills, Concurrent Resolutions and Joint Memorials and Final Action Thereon.

House Bill No. 28, by Glennon, was read a third time at length, section by section, for final action

Crow moved that House Bill No. 28 be recommitted to the Judiciary Committee. Seconded by Morgan

Motion carried and H. B. No. 28 ordered recommitted to the Judiciary Committee.

House Bill No. 48 was read third time at length, section by section, for final passage.

Moved by Hill and seconded by Pincock that H. B. No. 48 be referred to the Committee on Revenue and Taxation

Motion carried and H. B. No. 48 referred to Committee on Revenue and Taxation.

House Bill No. 56 was read third time at length, section by section, for final action

Moved and seconded that same be recommitted to Committee on Judiciary.

Carried and H. B. No. 56 referred to Committee on Judiciary.

House Bill No. 45 was read third time at length, section by section, for final action.

The question being "Shall the Bill Pass?" the roll was called with the following result.

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles Edgington, Elmers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Jones, Kerby, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Mr. Speaker.

Nays—None.

Total number of votes, 55. Ayes, 55. Nays, 0. Absent, not voting, 4.

And so the bill passed, title approved, and H. B. No. 45 ordered transmitted to the Senate.

House Bill No. 55 was read third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following results:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Brad-

ford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Jones, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Mr. Speaker.

Nays—None.

Total number of votes, 54. Ayes, 54. Nays, 0. Absent, not voting, 5.

And so the bill passed, title approved, and H. B. No. 55 ordered transmitted to the Senate.

House Bill No. 6 was read third time in full, section by section, for final action.

Moved by Galloway and seconded by Kerby that the bill be referred to Joint Investigating Committee.

Roll call was then demanded with the following result:

Ayes—Eckles, Galloway, Gibson, Hendricks, Hill Holmberg, Hutton, Hyde, Jayne, Jenson, Kerby, Morgan, Nelson, Parker, Pincock, Sorenson, Stephens, Strode, Terrell, Walker.

Nays—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Dunning, Edgington, Eimers, Farmin, Featherstone, Friend, Glennon, Hanmer, Jacobs, Johnson, Johnston, Jones, McCabe, Nielsen, Nihart, Oakes, Sanborn, Smith, Taylor, Thompson, Warnick, Wilson, Mr. Speaker.

Total number of votes, 56. Ayes, 20. Nays, 36. Absent, 3.

And so the motion by Galloway was lost.

Morgan moved to refer House Bill No. 6 to Committee on Appropriations. Seconded by Johnston.

Motion carried and House Bill No. 6 referred to Committee on Appropriations.

Moved by Hanmer and seconded by Willson that House adjourn until 2 p. m.

Motion carried.

House adjourned.

Afternoon Session.

House met pursuant to adjournment. Mr. Speaker in the Chair.

Roll call showed all members present, except Wood and Hellekson, excused on account of sickness, and Leaf excused.

Motions and Resolutions.

Hanmer introduced the following resolution:

HOUSE CONCURRENT RESOLUTION NO. 5, BY HANMER.

Be it resolved, the Senate concurring, That a committee, consisting of one Senator and two Representatives, be appointed by the President of the Senate and the Speaker of the House respectively, to visit the University of Idaho at Moscow, the State Normal School at Lewiston, and the North Idaho Insane Asylum at Orofino; and that a like committee be appointed in a like manner to visit the Normal School at Albion, the Academy at Pocatello, the Insane Asylum at Blackfoot, the Industrial School at St. Anthony and the Deaf, Dumb and Blind Asylum at Gooding, and that the Educational Committees respectively of the Senate and the House of Representatives may be permitted to specify information required.

Be it further resolved, That the Committees on Education and Finance in the Senate and the Committees on Education and Appropriation in the House of Representatives shall be, and the same are, hereby empowered to call before them the heads or any representative or representatives of the various public institutions of the State that

they may deem necessary for the purpose of gaining a full and accurate report concerning said institutions

Be it further resolved, That the appearance of any delegation or committee at the capitol for the purpose of influencing legislation for any particular institution other than that at the invitation of said committee shall be considered unwelcome

Hanmer moved adoption of the resolution. Seconded by Warnick.

Motion carried, resolution was adopted and ordered transmitted to the Senate.

Reference of Bills.

The Speaker referred the following House Bills to their respective committees

H. B. Nos 99, 100 and 107 to Committee on State Affairs.

H. B. Nos 101, 102, 103, 106 and 108 to Judiciary Committee.

H. B. Nos. 105 and 109 to Committee on Public Health.

H. B. No. 104 to Committee on Water and Drainage

H. J. R. No. 8 to Committee on Privileges and Elections

Speaker appointed Hutton on Joint Investigating Committee in place of Hellekson, resigned on account of sickness.

Motions and Resolutions.

Bell moved that when the House adjourn it be until 10 a. m. Monday morning, January 23, 1911. Seconded by Ceaser.

Motion carried

Introduction of House Bills, Concurrent Resolutions and Joint Memorials.

The following bills were introduced:

H. B. NO. 118 (SUBSTITUTE FOR HOUSE BILL NO 30), BY HENDRICKS.

An Act to require railroad companies and corporations to fence their tracks and maintain crossings and cattle guards, and to make them responsible for damages in maiming and killing domestic animals, and the expenses of such fencing, upon their failure so to do; making the maiming or killing of live stock by a railroad company or corporation prima facie evidence of negligence on the part of such company or corporation, requiring a claim for such damages to be made upon such railroad company or corporation; fixing the time within which suits for such damages must be commenced; providing for reasonable attorney's fees, amending Sections 2815, 2817 and 2818 of the Revised Codes of Idaho, and repealing Section 2814 of the Revised Codes of Idaho.

H. B. No 119, BY HOLMBERG.

An Act providing for the issuing of State bonds to the amount of thirty-five thousand dollars (\$35,000) for the additional buildings and improvements of the Northern Idaho Insane Asylum; prescribing how the proceeds of the sale of said bonds shall be expended, and providing a sinking fund for the payment of said bonds

H. B. NO. 120, BY NIHART

An Act to amend Section 2126 of the Revised Codes of the State of Idaho.

H. B. NO. 121, BY FARMIN.

An Act amending an Act entitled, "An Act to provide for the appointment of a fish and game warden, assistants and deputy wardens, defining their duties and fixing their compensations; to provide a system of license for fishing and hunting and a system of permits for

shipping game and fish and defining the duties of certain officers as to such licenses and permits; also to provide for the preservation, protection and propagation of fish and game; to provide for the maintenance and operation of State fish hatcheries and distribution of fry to the various waters of the State of Idaho; to provide for superintendents and assistants for such hatcheries; to provide for private game and fish parks and ponds and the issuing of permits for the selling and transportation of certain fish; to provide penalties for the violation of this Act; and to appropriate money to carry out the provisions of this Act; and to repeal previous legislation relating to the subject of fish and game," approved March 11, 1909. By providing for the election bi-ennially of a State Fish and Game Warden, and providing for the appointment of a State Fish and Game Warden until one can be elected at the next general election.

H. B. NO. 122, BY FEATHERSTONE AND CROW.

An Act appropriating fourteen thousand dollars (\$14,000) for the benefit of the Children's Home Finding and Aid Society of Idaho; authorizing the State Auditor to draw warrants therefor; providing the method of payment to said Children's Home Finding and Aid Society of said sum, hereby appropriated; providing the method of distribution of said sum hereby appropriated, between the northern and southern districts of the State of Idaho, as herein described, and declaring an emergency.

H. B. NO. 123, BY SMITH.

An Act amending Section 3254 of the Revised Codes of the State of Idaho, authorizing the State Engineer to extend the time for the completion of works under water permits of a certain character; and limiting extension of time with original permit to five (5) years.

Message From the Senate.

The following message was received from the Senate:

Mr. Speaker:

I have the honor to transmit herewith Senate Joint Resolution No. 1, by Poole, which has passed the Senate.

CHARLES J. LISLE,
Assistant Secretary of Senate.

First Reading of House Bills, Concurrent Resolutions and Joint Memorials.

The following House Bills were read first time in full:

H. B. No. 118, by Hendricks.

H. B. No. 119, by Holmberg.

H. B. No. 120, by Nihart.

H. B. No. 121, by Farmin.

H. B. No. 122, by Featherstone and Crow.

H. B. No. 123, by Smith.

Third Reading of House Bills, Concurrent Resolutions and Joint Memorials and Final Action Thereon.

House Bill No 33 was read third time at length, section by section, for final action.

Moved by Oakes and seconded by Pincock that House Bill No. 33 be referred to Committee on Fish and Game.

Motion carried, and House Bill No. 33 referred to Committee on Fish and Game.

House Joint Resolution No. 1 was then read a third time at length for final action.

Hammer moved that same be recommitted to Judiciary Committee. Seconded by Bradford.

Motion carried and H. J. R. No. 1 was ordered recommitted to Judiciary Committee.

First Reading of Senate Bills, Concurrent Resolutions and Joint Memorials.

The following Senate Joint Resolution was read the first time in full.

S. J. R. NO. 1, BY POOLE.

Galloway moved that all rules of the House interfering with the immediate passage of this bill be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that Senate Joint Resolution No. 1 be read the first and second times by title and the third time at length, section by section, and be put on its final passage.

Seconded by Jenson.

The question being, "Shall the rules be suspended?" the roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Mr. Speaker.

Nays—None.

Total number of votes, 55. Ayes, 55. Nays, 0. Absent not voting, 4.

And so the rules were suspended and S. J. R. No. 1 was read first and second time by title and third time at length, and put upon its final passage.

The question being "Shall the resolution pass?" the roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Mr. Speaker.

Nays—None.

Total number of votes, 55. Ayes, 55. Nays, 0. Absent, not voting, 4.

And so Senate Joint Resolution No. 1 passed and was ordered transmitted to the Senate.

Hill moved that House Joint Resolution No. 2 be laid on the table. Seconded by Galloway.

Motion carried.

General Calendar.

House resolved itself into Committee of the Whole for the consideration of the General Calendar. Morgan in the Chair.

House In Session.

Morgan, Chairman of the Committee of the Whole, submitted the following report:

Mr. Speaker:

The Committee of the Whole has had under consideration H. B.

No. 22, in connection with the majority and minority reports, and recommend that said bill with its accompanying reports lie on the table.

MORGAN,
Chairman.

Moved by Johnston and seconded by Terrell that the report be adopted.

Davis moved as a substitute that the bill do pass. Seconded by Hanmer.

Speaker ruled the substitute motion out of order.

Kerby moved to adjourn. Seconded by Galloway.

Motion carried.

House adjourned.

CHARLES D. STOREY,
Speaker.

JAMES H. WALLIS,
Chief Clerk.

MONDAY, TWENTY-SECOND DAY, JANUARY 23, 1911.

Morning Session.

Hall of the House of Representatives,
Boise, Idaho, January 23, 1911.

House met pursuant to adjournment Mr. Speaker in the Chair.

Prayer was offered by the Chaplain.

Roll call showed all members present except Nelson, excused.

Journal for the nineteenth day was then read.

Committee on Journal submitted the following report.

Mr. Speaker:

The Committee on Journal report herewith that they have had under consideration the Journal for the nineteenth day and find the same correct, and move that the Journal for that day be approved and adopted.

On motion Journal for that day was approved and adopted.

Unfinished Business.

Davis moved as a substitute for all pending motions in regard to House Bill No. 22, that House Bill No. 22, with both majority and minority reports, lie on the table. Seconded by Sanborn.

Motion carried.

Speaker announced the appointment of the following committees to visit State institutions: Jayne and Hanmer as the committee to visit the State institutions of the north, Wilson and Leaf as the committee to visit the State institutions in the south part of the State.

Petitions and Communications.

Protests against the division of Nez Perce County; also protests against Lewis County and all division of Nez Perce County, except Clearwater County were presented by Jacobs.

Same was referred to Committee on County Lines and Boundaries.

Reports of Standing Committees.

The Committee on Printing submitted the following report:

Mr. Speaker:

Your Committee on Printing herewith report that we have had correctly printed and distributed the following House Bills:

House Bills Nos. 37, 42, 81, 84, 89, 91, 94, 98, 99, 101, 104, 106 and H. J. R. No. 8.

And that the following bills have been read by copy and sent to the printer:

House Bills Nos. 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122 and 123.

JONES,
Chairman.

Report adopted.

The Committee on Judiciary submitted the following report:

Mr. Speaker:

Your Judiciary Committee having had under consideration House Bills No. 70, by Sanborn, return the same to the House with the recommendation that it be referred to the Committee on Appropriations.

Also House Bill No. 37, by Smith, return the same to the House with the recommendation that it be corrected by underscoring the amendatory matter and correctly printed, and referred to the Committee on Education.

Also House Bill No. 73, by Galloway, report favorably on the same, and ask it to be referred to the Committee on Cities, Towns and Other Municipal Corporations.

Also House Bill No. 88, by Davis, return the same with the recommendation that it do pass.

Also House Bill No. 56, by Johnson, recommend the following amendments: In line 3, strike out the words "terms of the" between the words "the" and "probate" in line 4 between the words "of" and "probate" insert the words "all civil, criminal or;" after the words "business" in line 4, insert the words "shall always be open;" beginning with the word "except" in line 4, strike out all the remaining portion of said line, and all of lines 5, 6, 7 and 8, so that said Section 3843 shall read as follows:

The Probate Courts in the several counties for the transaction of all civil, criminal or probate business shall always be open.

And recommend that said House Bill No. 56 do pass as amended.

Also House Bill No. 83, by Jayne, return the same to the House without recommendation, and ask it to be referred to the Committee on Cities, Towns and Other Municipal Corporations.

Also House Bill No. 86, by Sanborn (substitute for House Bill No. 11) return the same with the recommendation that it be referred to the Committee on Education.

Also House Bill No. 87, by Hanmer, return the same with recommendation that it do pass.

Also House Bill No. 94, by Jenson, recommend the following amendments: in line 10 insert the word "nearest" after the word "the" and before the word "Constable;" change the first word in line 33 to "the," and strike out the words "to be" between the word "county" and the word "designated;" in line 34 insert the word "official" between the word "The" and the word "newspaper" and strike out the words "to publish estray notices;" in paragraph 1, line 62, change the word "advertising" to "advertised" and recommend that it do pass as amended

Also House Bill No. 90, by Bell, return the same to the House with the recommendation that the bill be referred to the Committee on Live Stock.

Also House Bill No. 64, by Ceaser, return the same with the recommendation that it do pass.

FEATHERSTONE,
Chairman.

Report adopted.

The Committee on Appropriations submitted the following reports:

Mr. Speaker:

The Committee on Appropriations having had before it House Bill No. 13, after duly considering the same, herewith makes its recommendation as follows: That the bill do be placed on the General Calendar.

BELL,
Chairman.

Mr. Speaker:

We, the Committee on Appropriations, having had under consideration House Bill No. 82, respectfully submit the following report:

That the words and figures eighty thousand dollars (\$80,000) as contained in line two of the title of said bill be stricken out, and that the words seventy-two thousand dollars be substituted therefor; that the words and figures "seventy-two thousand (\$72,000) dollars" be substituted for the words and figures "eighty thousand (\$80,000) dollars" in line five of Section 1 of said bill.

That the words and figures "seventy-two (72)" be substituted for the word "eighty" in line fourteen of Section 2.

That the words and figures "seventy thousand, eight hundred and fifteen dollars and ninety-two cents (\$70,815.92)" be substituted for the words and figures "seventy-eight thousand eight hundred and fifteen dollars and ninety-two cents (\$78,815.92) in line five of Section 9 thereof.

That the words and figures "seventy-two thousand dollars (\$72,000) be substituted for the words and figures eighty thousand dollars (\$80,000.00) in line fourteen of Section 9 thereof.

That the bill as so amended do pass.

BELL,
Chairman.

Report adopted.

Mr. Speaker:

We, the Committee on Appropriation, have the following report to make concerning a communication from Honorable James H. Hawley, Governor of the State of Idaho:

That on January twenty-first (21st), the said committee, through its Chairman, received from the Governor of the State of Idaho the letter hereto attached and marked as Exhibit "A" calling the attention of the committee to the claim of William Winter, William E. Parsons and Henry H. Boomer, partners doing business under the name and style of Winters, Parsons & Boomer, against the State of Idaho, in the sum of six thousand seven hundred and forty-four dollars and twenty-five cents (\$6,744.25) on a recommendatory judgment made and entered in the Supreme Court on the seventh (7th) day of February, 1897. A certified copy of the said recommendatory judgment was enclosed with the said letter from the Governor, and is hereto attached as a part of this report and marked Exhibit "B;" also there was enclosed a certified copy of the complaint of the said parties against the State of Idaho which was the foundation for the said recommendatory judgment, and said copy of the complaint is hereto attached as a part of this report and marked Exhibit "C."

The committee, after duly considering the letter of the Governor, and the recommendation thereof, have reached the following decision which it desires to have incorporated in the record of this House so that the same may be permanent and easily found.

Upon inquiry and investigation the committee has ascertained that this claim has been presented to the Legislature of the State of Idaho at previous sessions and that the same has never been allowed. It was the duty, we deem, of the said claimants to present their recommendatory judgment to the first Legislature convening after the said judgment was made and entered. If such Legislature did not see fit

to allow the said claim, we assume that they had sufficient grounds and reasons which are unknown to us. This judgment is now nearly fourteen (14) years old, the claim is stale, it has been too long since the transaction of the matter set out in the complaint for this committee to adequately and safely investigate the liability of the State thereunder. If other Legislatures have seen fit as they have to refuse to recognize this claim, we do not feel that in justice to the State and to the taxpayers we could recommend its payment. We consequently report that this committee will not draft or introduce a bill to provide for the payment of the said parties and that we will take no further action upon this said claim as presented to us.

Respectfully submitted,

BELL,
Chairman.

Report adopted.

Mr. Speaker:

The Committee on Appropriations, having had under consideration House Bill No. 40, herewith submits its report as follows:

Committee recommends that Section 1 of said bill be amended by substituting the words and figures "three thousand eight hundred and eighty-one dollars and twenty-five cents (\$3,881.25)" in place of the words and figures "six thousand eight hundred and sixty-nine dollars and eighty-one cents (\$6,869.81)" in lines one and two of Section 1 of said bill.

That Section 2 of said bill be amended by substituting the words and figures "three thousand eight hundred and eighty-one dollars and twenty-five cents (\$3,881.25)" for the words and figures "six thousand eight hundred and sixty-nine dollars and eighty-one cents (\$6,869.81)" in lines three and four of Section 2 of said bill.

That the words "Provided, however, That before receiving the said warrant for the said sum of three thousand eight hundred and eighty-one dollars and twenty-five cents (\$3,881.25) the said Tony A. Tubbs shall file his receipt in full payment of such claim and every part thereof as contained in the statements and petitions heretofore filed with the Committee on Appropriations of the House of Representatives, and in full payment of all claim whatsoever of said Tony A. Tubbs against the State of Idaho, or of any person whose interest is represented by him, and that said petitions and items so claimed by the said Tony A. Tubbs, upon the passage and approval of this Act be transmitted to the State Auditor and shall be filed with him as evidence of the items and claims covered by this appropriation" be inserted after the word "Tubbs" and before the word "and" at line five of Section 2 of said bill.

That the said bill as amended do pass.

The claims and items of the said Tony A. Tubbs, which, having been presented to the Appropriation Committee and considered by it, and which are the foundation of the claim of said Tubbs against the State of Idaho, are herewith attached to this report as Exhibit "A" and made a part hereof.

BELL,
Chairman.

Moved by Sanborn, seconded by Walker, that report of committee on House Bill No. 40 be laid on the table

Lost.

Report adopted.

Committee on Irrigation, Reservoirs and Reclamation submitted the following report:

Mr. Speaker:

We, your Committee on Irrigation, Reservoirs and Reclamation, beg leave to report that we have had Senate Bill No. 20 under consideration and recommend that the same do pass.

Also House Bill No. 98 and recommend that the same be referred to Committee on Judiciary.

NIHART,
Chairman,

Report adopted.

Report of Committee on Engrossed and Enrolled Bills.

Mr. Speaker:

We, your Committee on Engrossed and Enrolled Bills, beg leave to report that House Bill No. 46, substitute for House Bill No. 7 has been correctly engrossed.

GLENNON,
Chairman.

Report adopted.

Motions and Resolutions.

Moved by Farmin and seconded by Hill that for the next ten days, beginning Tuesday A. M., the House of Representatives commence at 9 a. m. and adjourn at 12 noon, unless the calendar be sooner cleared, and that each afternoon be devoted to committee meetings and other business.

Motion carried.

Introduction of Bills, Concurrent Resolutions and Joint Memorials.

The following bills were introduced:

H. B. NO. 124, BY ECKLES.

An Act empowering the Boards of County Commissioners of any of the several counties of the State of Idaho to levy a special tax for the purpose of displaying the products and industries of any county in the State at domestic or foreign expositions, for the purpose of encouraging immigration and increasing trade in the products of the State.

H. B. NO. 125, BY EDGINGTON AND BRADLEY.

An Act compelling all owners of buildings or grounds in prohibitory territory to remove therefrom all saloon signs and other saloon appurtenances from said buildings or grounds; and providing penalties for violation thereof.

H. B. NO. 126, BY BRADLEY.

An Act compelling the removal of blinds and screens in soft drink establishments, card rooms, pool or billiard halls, and providing penalties for the violation thereof.

H. B. NO. 127, BY JAYNE AND DUNNING.

An Act amending Section 1644 of the Revised Codes of Idaho by adding thereto subdivision 13.

H. B. NO. 128, BY JACOBS.

An Act providing for the issuing and sale of State bonds in the sum of twenty-five thousand dollars (\$25,000) and appropriating the proceeds thereof for the construction of a wagon bridge across the Clearwater River at Lewiston, in Nez Perce County, Idaho; and authorizing the levy of an ad valorem tax to provide a sinking fund for the payment of such bonds and interest thereon; providing that the cost and fair value of such bridge shall not be less than forty-five thousand dollars (\$45,000) and that the additional amount over and above the said sum of twenty-five thousand dollars (\$25,000) shall be

raised from other sources and made available to the satisfaction of the Governor of Idaho before the proceeds of such bonds, or any part thereof, shall be available; and providing for a bridge commission to have control of the construction of said bridge and of the disbursement of the appropriation made by this act.

H. B. NO. 129, BY BURRELL AND DUNNING.

An Act to provide for the publication of names of taxpayers, the valuation of the personal property, the real estate and the real estate and the improvements on real estate, respectively, upon which each taxpayer pays taxes in his respective county, and to provide for the printing of such lists, and authorizing the County Commissioners of the respective counties to pay for such printing and publishing.

H. B. NO. 130, BY BURRELL

An Act to create and organize the County of Power; to define the boundaries thereof, and to designate and fix the county seat of Power county; to provide for the transcription of all records of Oneida County, Bingham County, Blaine County and Cassia County relative to property and persons within the boundaries of Power County; and to constitute the County of Power a part of the Fifth judicial district of the State of Idaho and a part of the Nineteenth senatorial district of the State of Idaho until otherwise apportioned by law; and for apportioning the property, moneys and indebtedness of Oneida County, Bingham County, Blaine County, Cassia County as between said counties, respectively, and Power County; and for other purposes incident to the organization of a new county; and repealing all Acts and parts of Acts not consistent with this Act; and declaring an emergency whereby this Act shall be in force and effect from and after its passage and approval

H. B. NO. 131, BY BELL

An Act making an appropriation for the paying of the expenses of the Shoup Statue Commission, as authorized and appointed by Act of March 5, 1907.

H. B. NO. 132, BY BELL AND MORGAN.

An Act to annex a portion of the County of Nez Perce to the County of Latah; and to submit the question of the proposed annexation to a vote of the qualified electors within the territory to be annexed; and apportion the debt of Nez Perce County between the Counties of Latah and Nez Perce; and to define the boundary of the County of Latah; and to define the boundary of the County of Nez Perce.

H. B. NO. 133, BY THE APPROPRIATION COMMITTEE.

An Act appropriating the sum of two hundred and thirty-five dollars and fifty cents (\$235.50) for the relief of Jules Bonnenfant, Jean Baptiste Bonnenfant, Narcisse Bonnenfant and Mathilde Bonnenfant, the heirs of Theodore Bonnenfant, deceased.

H. B. NO. 134, BY MORGAN.

An Act relating to the powers of cities and villages to levy taxes upon the property within the corporate limits of such city or village; and fixing the amount which may be levied in any one year for general purposes.

H. B. NO. 135, BY MORGAN.

An Act providing for cities and villages owning or controlling a water system for supplying the city or village and the inhabitants thereof with water; to provide by ordinance that the rental or compensation to the city or village may be made a lien upon the property

upon which the water is supplied to the owner thereof; to provide by ordinance how the collection thereof may be enforced.

H. B. NO. 136, BY MORGAN.

An Act to amend Section 1770 of the Revised Codes of Idaho.

H. B. NO. 137 (SUBSTITUTE FOR H. B. NO 9), BY CROW.

An Act to amend Section 4416 of the Revised Codes of the State of Idaho relating to the appointment of referees.

H. B. NO. 138, BY JOHNSON.

An act relating to charges of abstract companies for abstract of title to real estate; fixing compensation therefor; and declaring an emergency.

H. J. M. NO. 2, BY MORGAN.

A memorial to Congress petitioning a passage of law to provide for payment of claims to citizens of Idaho for loss and damage in the Nez Perce War of 1877.

H. J. M. NO. 3, BY BLACK AND GALLOWAY.

A memorial to Congress petitioning that the land and buildings comprising the Fort Walla Walla military reservation and barracks may be granted to Whitman College.

H. J. R. NO. 9, BY JAYNE AND DUNNING.

A joint resolution proposing the amendment of Section 1, of Article 20, of the Constitution of the State of Idaho, submitting to the electors of said State for their rejection or approval the question whether said section shall be so amended as to give the people the power to propose amendments to said Constitution independent of the Legislature, and providing the manner of proposing amendments by the people in addition to the exercise of such power by the Legislature.

H. J. R. NO. 10, BY FARMIN.

A joint resolution proposing the amendment of Section 6, Article 18, of the Constitution of the State of Idaho, submitting to the electors of said state, for their rejection or approval, the question whether said Act should be so amended as to authorize and make the County Treasurer Ex-Officio Tax Collector, and to relieve the County Assessor of his duties as Tax Collector.

First Reading of House Bills, Concurrent Resolutions and Joint Memorials.

The following bills were read first time in full:

H. B. No. 124, by Eckles.

H. B. No. 125, by Edgington and Bradley.

H. B. No. 126, by Bradley.

H. B. No. 127, by Jayne and Dunning.

H. B. No. 128, by Jacobs.

H. B. No. 129, by Burrell and Dunning.

H. B. No. 130, by Burrell.

H. B. No. 131, by Bell.

H. B. No. 132, by Bell and Morgan.

H. B. No. 133, by Appropriation Committee.

H. B. No. 134, by Morgan.

H. B. No. 135, by Morgan.

H. B. No. 136, by Morgan.

H. B. No. 137 (substitute for H. B. No 9), by Crow.

H. B. No. 138, by Johnson.

H. J. M. No. 2, by Morgan.

H. J. M. No. 3, by Black and Galloway.

H. J. R. No 9, by Jayne and Dunning.

H. J. R. No. 10, by Farmin.

Second Reading and Reference of House Bills, Concurrent Resolutions and Joint Memorials.

The following bills were read second time in full:

H. B. No 110, by Taylor.

H. B. No. 111, by Smith.

H. B. No. 112, by Smith.

H. B. No 113, by Farmin, Sanborn and Jones.

H. B. No 114, by Walker.

H. B. No 115, by Crow.

H. B. No. 116, by Crow.

H. B. No 117, by Crow.

H. B. No. 118 (substitute for H. B. No. 30). by Hendricks.

H. B. No. 119, by Holmberg.

H. B. No. 120, by Nihart.

H. B. No. 121, by Farmin

H. B. No 122, by Featherstone and Crow.

H. B. No 123, by Smith.

Third Reading of Senate Bills, Concurrent Resolutions and Joint Memorials, and Final Action Thereon.

Senate Joint Memorial No. 2, by Kerns read a third time at length, section by section, for final action.

The question being "Shall the memorial pass?" the roll was called, with the following results:

Ayes—Allred, Arthur, Bell, Berry, Black, Bower, Bradford, Bradley, Ceaser, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jayne, Jenson, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Stephens, Strode, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Baldridge, Burrell, Crow, Hanmer, Jacobs, Johnson, Johnston, Smith, Sorenson, Taylor.

Total number of votes, 59. Ayes, 49. Nays, 10. Absent, not voting, none

And so the memorial passed, titled approved, and Senate Joint Memorial No. 2 returned to the Senate.

Unanimous consent was given to return to the ninth order of business.

Motions and Resolutions.

Moved by Black, and seconded by Galloway, that all Rules of the House interfering with the immediate passage of this bill be suspended, that the portions of Section 15, of Article 3, of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that House Joint Memorial No. 3 be read the first and second times by title and the third time at length, section by section, and be put upon its final passage.

The question being on the suspension of the rules, the roll was called, with the following result:

Ayes—Allred, Arthur, Bell, Berry, Black, Bower, Bradford, Bradley, Ceaser, Dunning, Edgington, Eimers, Farmin, Friend, Galloway, Hellekson, Hendricks, Hyde, Jayne, Johnson, Johnston, Jones, Kerby, Leaf, Nihart, Oakes, Parker, Pincock, Smith, Stephens, Strode, Taylor, Terrell, Thompson, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Burrell, Davis, Eckles, Featherstone, Gibson, Glennon, Hanmer, Hill, Holmberg, Hutton, Jenson, Morgan, McCabe, Nelson, Nielsen, Sanborn, Sorenson, Walker.

Total number of votes, 56 Ayes, 38. Nays, 18 Absent, not voting, 3.

The motion not having received the necessary two-thirds vote, was declared lost.

Moved and seconded that House Joint Memorial No. 3 be made a special order of business for 2:10 p. m.

Carried.

General Calendar.

House resolved itself into Committee of the Whole for the consideration of House Bill No. 89. Bradford in the Chair.

House In Session.

The Committee of the Whole submitted the following report:

Mr. Speaker:

The Committee of the Whole having had under consideration H. B. No. 89, recommend that the minority report of the Committee on Railroads, Carriers and Other Corporations be adopted, that bill do not pass.

BRADFORD,

Chairman.

Report adopted.

On motion House took a recess till 2 p. m.

Afternoon Session.

House met pursuant to adjournment. Mr. Speaker in the Chair.

Roll call showed all members present except Nelson, excused.

Reference of Bills.

The following House Bills were referred by the Speaker to their respective committees:

H. B. No. 110, Appropriations Committee.

H. B. No. 111, Committee on Irrigation, Reservoirs and Reclamation.

H. B. No. 112, Committee on Irrigation, Reservoirs and Reclamation.

H. B. No. 113, Committee on Appropriations.

H. B. No. 114, Committee on Railroads, Carriers and Other Public Corporations.

H. B. No. 115, Judiciary Committee.

H. B. No. 116, Judiciary Committee.

H. B. No. 117, Judiciary Committee.

H. B. No. 118, Committee on Railroads, Carriers and Other Public Corporation.

H. B. No. 119, Committee on Charitable and Penal Institutions.

H. B. No. 120, Judiciary Committee.

H. B. No. 121, Committee on Fish and Game.

H. B. No. 122, Appropriations Committee.

H. B. No. 123, Committee on Irrigation, Reservoirs and Reclamation.

Special Order of the Day.

The hour of 2:10 having arrived the House took up the consideration of H. J. M. No. 3, which had been made a special order for that time.

Moved by Black and seconded by Warnick that all rules of the House interfering with the immediate passage of this bill be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that House Joint Memorial No. 3 be read the first and second times by title and the third time at length, section by section, and be put upon its final passage.

Roll was called on the suspension of the rules with the following results:

Ayes—Allred, Arthur, Baldridge, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Elmers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Jones, Kerby, Leaf, Morgan, McCabe, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strobe, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 57. Ayes, 57. Nays 0. Absent not voting, 2.

And so the rules were suspended.

The question being "Shall the Memorial Pass?" the roll was called with the following results:

Ayes—Allred, Arthur, Baldridge, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Elmers, Farmin, Featherstone, Friend, Galloway, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Jones, Kerby, Leaf, Morgan, McCabe, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strobe, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number votes, 56. Ayes, 56. Nays, 0. Absent, not voting, 3.

And so the memorial was passed and was ordered transmitted to the Senate

Report of Standing Committees.

Committee on Public Health submitted the following report:

Mr. Speaker:

We, your Committee on Public Health having had under consideration House Bill No. 109 hereby recommend that the bill do pass.

Also having had under consideration House Bill No. 105 hereby respectfully recommend that said bill do pass

CROW,
Chairman.

Report adopted.

The Committee on Education submitted the following report:

Mr. Speaker:

Your Committee on Education beg leave to report that they have had under consideration Senate Concurrent Resolution No. 1, by Day, and recommend that it do not pass.

HANMER,
Chairman.

Report adopted.

Introduction of Bills, Concurrent Resolutions and Joint Memorials.

The following bills were introduced.

H. B. NO. 139, BY FEATHERSTONE

An Act to amend Section 2794 of the Revised Codes of Idaho, relating to the issue of bonds and notes by railroad corporations and the execution of mortgages to secure the same.

H. B. NO. 140, BY SMITH.

An Act providing for the issuing and sale of State bonds in the sum of twelve thousand (\$12,000) dollars, and appropriating the proceeds thereof for the construction of a wagon bridge across the Snake River, 200 feet below the O. S. L. railroad bridge in section 16, township 10, range 23 east, B. M., and authorizing the levying of an annual ad valorem tax to provide a sinking fund for the payment

of such bonds at maturity and the interest thereon as the same becomes due: Provided, that the cost and fair value of said bridge shall not be less than fourteen thousand (\$14,000) dollars, and that the additional amount over and above the sum of twelve thousand (\$12,000) dollars shall be raised from other sources and made available to the satisfaction of the Governor of Idaho before the proceeds of said bonds, or any part thereof, shall be available; providing for a bridge commission to have general control of the construction of said bridge and of the disbursement of the appropriation made by this Act.

H. B. NO. 141, BY SMITH.

An Act to prohibit the use of common drinking cups in the State of Idaho; to compel railroads to install cup vending machines on railroad trains; and provide certain penalties.

H. B. NO. 142, BY SMITH.

An Act providing for and constituting a dairy, food and sanitary fund; providing for the disposition of all fees and licenses collected by the State Dairy, Food and Sanitary Inspector and his deputies; and providing for the disposition of all fines for violations of the dairy, food, sanitary and health laws of this State; fixing compensation of the State Dairy, Food and Sanitary Inspector; repealing all laws in conflict herewith.

H. B. NO. 143, BY JOHNSON.

An Act providing for the extermination of noxious weeds; providing the method thereof; and providing the manner of, and authorizing the levying and collecting of taxes in payment of costs for the destruction of noxious weeds; and fixing the penalty for the violation thereof.

H. B. NO. 144, BY KERBY.

An Act to amend Section 888 of the Idaho Revised Codes.

Messages From the Senate.

The following messages were received from the Senate:

Mr Speaker:

I have the honor to transmit herewith Senate Bill No. 8, by Lee and Harris, which has passed the Senate.

Also Senate Bill No. 14, by Macbeth, which has passed the Senate.

Also Senate Bill No. 28, by Lee, which has passed the Senate.

Also Senate Bill No. 19 (substitute for Senate Bill No. 6), by Whitcomb, which has passed the Senate.

Also Senate Bill No. 39, by Shawhan, which has passed the Senate.

I also have the honor to inform you that in accordance with the provisions of House Concurrent Resolution No. 5, duly adopted by the House and the Senate, the President of the Senate has appointed Senator Pugmire as a member of the Joint Committee to visit the State institutions in Northern Idaho, and Senator Page as a member of the Joint Committee to visit the State institutions in Southern Idaho.

CHARLES J. LISLE,

Assistant Secretary of Senate.

First Reading of House Bills, Concurrent Resolutions and Joint Memorials.

The following House Bills were read first time in full:

H. B. No. 139, by Featherstone.

H. B. No. 140, by Smith.

H. B. No. 141, by Smith.

H. B. No. 142, by Smith.

H. B. No. 143, by Johnson.

H. B. No. 144, by Kerby.

First Reading of Printed Amendments to House Bills.

Printed amendments to House Bills Nos 35 and 46 were read in full first time.

First Reading of Senate Bills, Concurrent Resolutions and Joint Memorials.

The following Senate Bills were read first time in full.

S B. No. 19 (substitute for S B. No 6), by Whitcomb.

S. B. No 8, by Lee and Harris.

S B. No. 28, by Lee

S. B. No. 39, by Shawhan

S. B. No 14, by Macbeth.

Third Reading of Senate Bills, Concurrent Resolutions and Joint Memorials and Final Action Thereon.

Senate Bill No 20, by Macbeth and Coates, was read in full third time, section by section, for final action.

Moved by Sanborn and seconded by Nihart that further consideration of Senate Bill No 20 be postponed until tomorrow, and that it take its place on the General Calendar.

Motion lost.

The question being "Shall the bill pass?" the roll was called with the following results:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jaynes, Jenson, Johnson, Jones, Morgan, McCabe, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wood, Mr. Speaker.

Nays—None.

Total number votes, 51. Ayes, 51. Nays, 0. Absent not voting, 8

And so the bill passed, title approved, and S B 20 ordered transmitted to the Senate.

Motion and Resolutions.

Unanimous consent was given to return to the ninth order of business.

Moved by Crow and seconded by Featherstone that all rules interfering with the immediate passage of this bill be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that House Bill No. 46, having been engrossed be read first and second times by title and third time at length, section by section, and be put upon its final passage.

The question being on the suspension of the rules the roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galoway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jayne, Jenson, Johnson, Jones, Kerby, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None

Total number votes, 55 Ayes, 55. Nays, 0. Absent, not voting, 4.

And so the rules were suspended.

The question being "Shall the bill pass?" the roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jayne, Jenson, Johnson, Jones, Kerby, Leaf, Morgan, McCabe, Nielsen, Nelson, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number votes, 57. Ayes, 57. Nays, 0. Absent not voting, 2.

And so the bill passed, title approved, and H. B. No. 46 ordered transmitted to the Senate.

Unanimous consent was given Dunning to withdraw House Bill No 127.

Report of Joint Investigating Committee.

Galloway submitted the following minutes of the meeting of the Joint Investigating Committee and moved that they be made a part of the Journal record. Seconded and carried.

Minutes Joint Investigation Committee.

The Joint Investigation Committee, Senate and House, as provided in House Concurrent Resolution No. 2, by Black, met January 21st, 1911, and perfected the organization by electing Senator Preston, Chairman, and Representative Galloway, Secretary.

Motion made and carried that committee proceed to draft proper notice, which shall state by whom and from whom charges shall be filed as provided in said concurrent resolution, and that a copy of said notice be sent to the Governor, Senate, House, and press, notifying them that said committee is now organized and ready to receive any and all charges that may be filed pursuant to said resolution.

It was moved and carried that charges as provided for in the said resolution must be filed within the time limit with the Chairman or any member of the committee and that at the hearing of said charges by the committee either the person preferring the charges or the person or persons against whom said charges are preferred may be represented before the Committee by an attorney.

It was moved and carried that the following notice be given to the Governor, Senate, House and press:

Notice.

Whereas, House Concurrent Resolution No. 2 was duly passed by the Legislature of the State of Idaho, January 19th, 1911, which resolution is as follows:

House Concurrent Resolution No. 2.

Whereas, certain charges have been made alleging mismanagement of public affairs by certain State officials composing certain State boards, and,

Whereas, it is the desire of the people of the State of Idaho, speaking through their Senators and Representatives in the State Legislature, to have said charges thoroughly investigated,

Now, therefore, be it resolved by the Legislature of the State of Idaho, That a committee of eight, five to be named by the Speaker of the House and three to be named by the President of the Senate, be appointed to investigate any specific charge or charges which may be filed within ten days after the passage hereof, in writing, with

said committee by any member or members of the Legislature, or by the Governor, of the State of Idaho, against any board or department of State, and that said committee be authorized to bring before it witnesses, records and documents or other information that may bear upon such matters, by any legitimate procedure, and report the result of their findings in writing to the Senate and House.

All expenses necessarily incurred in such investigation shall be paid in the same manner and out of the same appropriation as the other expenses of the Eleventh Session of the Legislature are paid.

And, whereas, The Speaker of the House of Representatives and the President of the Senate in compliance with this resolution have appointed the following committee

Senators Preston, Williams and Mitchell, and Representatives Black, Davis, Baldrige, Hutton and Galloway.

And whereas, this committee has met and organized;

Therefore, be it resolved, that any person or persons who may have any specific charge or charges to present, as provided for in said resolution, are hereby directed to file the same with the Chairman or Secretary or any member of this committee on or before January 29th, 1911, for their consideration

All charges so presented or filed will be given public hearings at times and places to be designated by this committee and proper notice to all parties concerned will be given in sufficient time for the proper presentation and consideration thereof, and any person or persons preferring charges, or any person or persons against whom such charges are preferred shall be permitted to appear by attorney or attorneys.

SEN PRESTON, Chairman.
SEN. WILLIAMS,
SEN. MITCHELL,
REP GALLOWAY, Secretary
REP. BLACK,
REP. DAVIS,
REP. BALDRIDGE,
REP. HUTTON.

Moved and seconded that House adjourn until 9 a m. Tuesday.

Motion carried

House adjourned.

JAMES H. WALLIS,
Chief Clerk

CHARLES D STOREY,
Speaker.

TUESDAY, TWENTY-THIRD DAY, JANUARY 24, 1911.
Morning Session.

Hall of House of Representatives,
Boise, Idaho, January 24, 1911.

House met pursuant to adjournment Mr. Speaker in the Chair.

Prayer was offered by the Chaplain.

Roll call showed all members present, except Nelson and Johnston excused on account of sickness, and Jacobs excused

Speaker announced that he was about to sign the Journal as corrected from the beginning of the session to the present day. Speaker then signed the corrected Journal up to and including the twenty-first day.

Journal for the twenty-second day was then read

The Committee on Journal submitted the following report:
Mr. Speaker

The Committee on Journal herewith report that they have had under consideration the Journal for the twenty-second day and find the same correct, and move that the Journal for that day be approved and adopted.

WARNICK,
Chairman.

On motion Journal for twenty-second day approved and adopted.

Report of Standing Committees.

The Committee on Printing submitted the following report
Mr. Speaker:

We, your Committee on Printing, beg leave to report that the following House Bills and amendments to House Bills have been read, correctly printed and distributed:

House Bills Nos. 68, 71, 92, 102, 105, 115 and 117, and amendments to House Bills Nos. 35 and 46.

The following House Bills have been read by copy and sent to the printer:

House Bills Nos. 124, 125, 126, 128, 129, 131, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142 and 144.

JONES,
Chairman.

Report adopted.

The Judiciary Committee submitted the following report:

Mr. Speaker:

The Judiciary Committee having had under consideration House Bill No. 102, by Ceaser, return the same to the House with the recommendation that same do not pass.

Also House Bill No. 39, by Berry (by request), recommend that it be amended as follows:

That Section 2 be stricken out; that Section 1 be amended by adding thereto after the word "just" in the eighth line the following:

"That when no such order is made, or such order is not satisfactory to the party or parties desiring a stay of proceedings, then at the time when notice of intention to move for a new trial is given, or at any time within ten (10) days thereafter, the moving party may stay execution or proceedings on the judgment, decree, or order entered in the action, until the motion for new trial is disposed of, by giving a good and sufficient undertaking, in a sum equal to twice the amount of the judgment and costs in the case of a money judgment, or twice the value of the property, and the amount of the costs in case the judgment, decree, or order direct the sale or delivery of real or personal property; and such undertaking shall be conditioned upon the payment to the party in whose favor such judgment, decree, or order is entered of the full amount of the same, if for money, or the full value of the property, if for the delivery or possession of property, and all damages which the judgment creditor may sustain by reason of such stay of execution, not to exceed the sum specified in the undertaking." And that same do pass as amended.

Also House Bill No. 27, by Black, return the same to the House with the recommendation that it do pass.

FEATHERSTONE,
Chairman.

Report adopted.

The Committee on Irrigation, Reservoirs and Reclamation submitted the following report:

Mr. Speaker:

Your Committee on Irrigation, Reservoirs and Reclamation beg leave to report they have had under consideration House Bill No. 111, and recommend that the same do pass.

Also beg leave to report they have had under consideration House Bill No. 112 and recommend that the same do pass.

Also beg leave to report they have had under consideration House Bill No. 123 and recommend that the same do pass.

NIHART,

Chairman.

Report adopted and House Bills Nos 111, 112 and 123 ordered engrossed.

Motions and Resolutions.

Moved by Black that the author of any bill be given an opportunity by the committee, to whom the bill is referred, to be heard on his bill before the committee makes an unfavorable report Seconded by Pincock.

Motion carried

Jayne, who was appointed as a member of the committee to visit State Institutions, asked to be released from serving on that committee. Speaker accepted the resignation of Jayne, and appointed Kerby in his place on the committee.

Introduction of Bills, Concurrent Resolutions and Joint Memorials.

The following bills were introduced:

H. B. NO. 145, BY HILL.

An Act to amend Section 1538 of the Revised Codes of Idaho, relating to maximum rate of interest.

H. B NO 146, BY DUNNING.

An Act to provide for a State Board of Tax Commissioners; and defining their duties and powers.

H B NO 147, BY GIBSON.

An Act providing for the dissolution of rural high school districts and providing for the separation of one or more of the districts from rural high school districts in which it or they may be contained.

H. B NO. 148, BY NIHART, JAYNE AND DUNNING.

An Act providing for a State Banking Board; prescribing their duties and powers; providing a depositor's guarantee fund, and providing for its maintenance and administration.

H. B. NO. 149, BY COMMITTEE ON PUBLIC HEALTH

An Act regulating and governing the keeping, maintaining and conducting of slaughter houses and slaughter yards; providing for inspection of places, where meat and meat food products are prepared and for inspection fees and certificates; prohibiting the operation of the places mentioned in this title, without certificate; providing for the sanitary handling, care and inspection of meat and meat products, and the condemnation of the same; providing penalties for the violation of the said regulations and provisions, and declaring an emergency.

First Reading of House Bills, Concurrent Resolutions and Joint Memorials.

The following bills were read first time in full

H. B No 145, by Hill.

H. B No 146, by Dunning.

H. B. No 147, by Gibson.

H. B No 148, by Nihart, Jayne and Dunning.

H. B No 149, by Committee on Public Health

Second Reading and Reference of House Bills, Concurrent Resolutions and Joint Memorials.

The following bills were read second time in full:

- H. B. No. 124, by Eckles.
- H. B. No. 125, By Edgington and Bradley.
- H. B. No. 126, by Bradley.
- H. B. No. 128, by Jacobs.
- H. B. No. 129, by Burrell and Dunning.
- H. B. No. 130, by Burrell.
- H. B. No. 131, by Bell.
- H. B. No. 132, by Bell and Morgan.
- H. B. No. 133 by Appropriation Committee.
- H. B. No. 134, by Morgan.
- H. B. No. 135, by Morgan.
- H. B. No. 136, by Morgan.
- H. B. No. 137 (substitute for H. B. No. 9), by Crow.
- H. B. No. 138, by Johnson.
- H. B. No. 139, by Featherstone.
- H. B. No. 140, by Smith.
- H. B. No. 141, by Smith.
- H. B. No. 142, by Smith.
- H. B. No. 143, by Johnson.
- H. B. No. 144, by Kerby.
- H. J. M. No. 2, by Morgan.
- H. J. R. No. 9, by Jayne and Dunning.
- H. J. R. No. 10, by Farmin.

Second Reading of Printed Amendments to House Bills.

The following amendment to House Bill was read second time in full:

Amendment to House Bill No. 35.

The printed amendment to House Bill No. 35, with original bill, was referred to Engrossing Committee and ordered engrossed.

Second Reading and Reference of Senate Bills, Concurrent Resolutions and Joint Memorials.

The following Senate Bills were read second time in full:

- S. B. No. 39, by Shawhan.
- S. B. No. 14, by Macbeth.
- S. B. No. 19 (substitute for S. B. No. 6), by Whitcomb.
- S. B. No. 8, by Lee and Harris.
- S. B. No. 28, by Lee.

General Calendar.

House resolved itself into Committee of the Whole for the consideration of the General Calendar. Edgington in the Chair.

House in Session.

Moved by Morgan, that inasmuch as the Speaker of the House is unavoidably detained in the district court and can not be present that the present incumbent of the chair, Edgington, act as Speaker pro tem. Seconded by Hill.

Motion carried.

Chairman of the Committee of the Whole submitted the following report:

Mr. Speaker:

The Committee of the Whole, having had under consideration the general calendar, makes the following recommendations:

That House Bill No. 94, by Jenson, be referred to the Committee on Live Stock; also House Bill No. 56, by Johnson and recommend that it be amended as follows:

In line 3 strike out the words "terms of the" and "probate;" in line 4, between the words "of" and "probate" insert the words "all civil, criminal or;" after the word "business" in line 4, insert the words "shall always be open;" beginning with the word "except" in line 4, strike out all the remaining portion of said line, and all of lines 5, 6, 7 and 8, so that said Section 3843 shall read as follows:

The Probate Courts in the several counties for the transaction of all civil, criminal or probate business shall always be open.

And recommend that said House Bill No. 56 do pass as amended.

Also House Bill No. 13, by Sanborn, and recommend that it do not pass.

Also House Bill No. 40, by Featherstone, and recommend that it be amended as follows:

That Section 1 of said bill be amended by substituting the words and figures "three thousand eight hundred and eighty-one dollars and twenty-five cents (\$3,881.25)" in place of the words and figures "six thousand eight hundred and sixty-nine dollars and eighty-one cents (\$6,869.81)" in lines one and two of Section 1 of said bill.

That Section 2 of said bill be amended by substituting the words and figures "three thousand eight hundred and eighty-one dollars and twenty-five cents (\$3,881.25)" for the words and figures "six thousand eight hundred and sixty-nine dollars and eighty-one cents (\$6,869.81)" in lines three and four of Section 2 of said bill.

That the words, "Provided, however, that before receiving the said warrant for the said sum of three thousand eight hundred and eighty-one dollars and twenty-five cents (\$3,881.25) the said Tony A. Tubbs shall file his receipt in full payment of such claim and every part thereof as contained in the statements and petitions heretofore filed with the Committee on Appropriations of the House of Representatives, and in full payment of all claims whatsoever of said Tony A. Tubbs against the State of Idaho, or of any person whose interest is represented by him, and that said petitions and items so claimed by the said Tony A. Tubbs, upon the passage and approval of this act, be transmitted to the State Auditor and shall be filed with him as evidence of the items and claims covered by this appropriation" be inserted after word "Tubbs" and before the word "And" and at line five of Section 2 of said bill. That Section 3 be stricken out.

That said bill as amended do pass.

That House Bill No. 82, by Bell and Morgan, be recommitted to the Committee on Appropriations for proper wording of amendments submitted by them and any further amendments.

EDGINGTON,
Chairman.

Moved by Morgan and seconded by Davis that the report of the Committee of the Whole be adopted.

Motion carried.

Report adopted.

Unanimous consent was given to return to the twelfth order of business

Message From the Senate.

The following message was received from the Senate:

Mr. Speaker:

I have the honor to transmit herewith House Joint Memorial No. 3, which has been adopted by the Senate.

CHARLES J. LISLE,
Assistant Secretary of Senate.

House Joint Memorial No. 3 was referred to the Committee on Engrossed and Enrolled Bills and ordered enrolled.

Unanimous consent was given to return to the seventh order of business.

Reports of Standing Committees.

The Committee on Appropriations submitted the following report:
Mr. Speaker:

Your Committee on Appropriations returns House Bill No. 110 and recommends that this bill first be referred to your Committee on Roads, Bridges and Ferries.

BELL,
Chairman.

Report adopted and House Bill No. 110 referred to Committee on Roads, Bridges and Ferries.

The Committee on Engrossed and Enrolled Bills submitted the following report:

Mr. Speaker:

We, your Committee on Engrossed and Enrolled Bills, having had under consideration House Bills Nos. 35, 46, 53, 64, 87, 88, 105 and 109 report the same as properly engrossed.

GLENNON,
Chairman.

Report adopted and House Bills Nos. 35, 46, 53, 64, 87, 88, 105 and 109 placed on third reading.

Reference of Bills.

Speaker referred the following House Bills to their respective committees:

H. J. M. No. 2, Committee on Federal Relations and Memorials to Congress.

H. J. R. No. 10, Judiciary Committee.

H. J. R. No. 9, Judiciary Committee.

H. B. No. 124, Committee on State Affairs.

H. B. No. 125, Committee on Privileges and Elections.

H. B. No. 126, Committee on Privileges and Elections.

H. B. No. 128, Appropriations Committee.

H. B. No. 129, Committee on Revenue and Taxation.

H. B. No. 130, Committee on County Lines and Boundaries.

H. B. No. 131, Appropriations Committee.

H. B. No. 132, Committee on County Lines and Boundaries.

H. B. No. 133, Appropriations Committee.

H. B. No. 134, Committee on Cities, Towns and Other Municipal Corporations.

H. B. No. 135, Committee on Cities, Towns and Other Municipal Corporations.

H. B. No. 136, Judiciary Committee.

H. B. No. 137, Judiciary Committee.

H. B. No. 138, Committee on State Affairs.

H. B. No. 139, Committee on Railroads, Carriers and Other Corporations.

H. B. No. 140, Appropriations Committee.

H. B. No. 141, Committee on Public Health.

H. B. No. 142, Committee on Public Health.

H. B. No. 143, Committee on Agriculture.

H. B. No. 144, Committee on Roads, Bridges and Ferries.

S. B. No. 8, Appropriations Committee.

S. B. No. 14, Appropriations Committee.

S. B. No. 19, Judiciary Committee.

S. B. No. 28, Committee on Roads, Bridges and Ferries.

S. B. No. 39, Appropriations Committee.

Unanimous consent was given to return to the tenth order of business

Introduction of Bills, Concurrent Resolutions and Joint Memorials.

The following bills were introduced:

H. B. NO. 150, BY NIHART.

An Act providing for the issuance and sale of State bonds in the sum of six thousand dollars (\$6,000), and appropriating the proceeds thereof for the construction of a wagon bridge across the Snake River at or near where said stream crosses the range line between ranges 14 and 15 E., B. M., between Twin Falls and Lincoln Counties, Idaho; authorizing the levy of an annual ad valorem tax to provide a sinking fund for the payment of such bonds at maturity and the interest thereon as the same becomes due: Provided, That the cost and fair value of said bridge shall not be less than eight thousand dollars (\$8,000), and that the additional amount over and above the sum of six thousand dollars (\$6,000) shall be raised from other sources and made available to the satisfaction of the Governor of Idaho before the proceeds of said bonds, or any part thereof, shall be available; providing for a bridge commission to have general control of the construction of said bridge and of the disbursement of the appropriation made by this Act.

H. B. NO. 151, BY GALLOWAY.

An Act to provide additional revenue for State purposes; and to levy a license on the gross earnings of certain companies and corporations, to wit: Express companies or corporations, telephone companies or corporations and telegraph companies or corporations doing business in this State; defining the manner of ascertaining the amount of such gross earnings; providing a penalty for violating the provisions of this Act; defining an express company, a telephone company, and a telegraph company within the meaning of this Act.

H. B. NO. 152, BY GALLOWAY.

An Act to provide additional revenue for State purposes; to levy a tax on the gross earnings of sleeping car companies, refrigerator car companies, and oil companies; defining a sleeping car company, a refrigerator car company, and an oil company within the meaning of this act; defining the manner of ascertaining the amount of such gross receipts; providing a penalty for violating the provisions of this Act.

First Reading of House Bills, Concurrent Resolutions and Joint Memorials.

The following bills were read first time in full:

H. B. No. 150, by Nihart.

H. B. No. 151, by Galloway.

H. B. No. 152, by Galloway.

Moved by Warnick and seconded by Johnson that House adjourn to 9 a. m. Wednesday

Motion carried.

House adjourned.

CHARLES D. STOREY,
Speaker.

JAMES H. WALLIS,
Chief Clerk.

WEDNESDAY, TWENTY-FOURTH DAY, JANUARY 25, 1911.**Morning Session.**

Hall of the House of Representatives,
Boise, Idaho, January 25, 1911.

House met pursuant to call. Mr. Speaker in the chair.

Prayer was offered by the Chaplain.

Roll call showed all members present except Nelson, excused on account of sickness, and Leaf, Wilson, Hanmer and Kerby excused on joint north and south committees.

Journal for the twenty-third day was read.

The Committee on Journal submitted the following report.

Mr. Speaker:

The Committee on Journal herewith report that they have had under consideration the Journal for the twenty-third day and find the same correct, and move that the Journal for that day be approved and adopted.

WARNICK,
Chairman.

Journal for the twenty-third day approved.

Petitions and Communications.

Hutton presented the following communication to the Legislature:
To the Legislature of the State of Idaho:

Through its committee appointed to investigate the acts of State officers composing the State Board of Land Commissioners:

The undersigned respectfully present for your consideration the following:

Whereas, It appears from the attached documents, marked "A" to "K," inclusive, that certain charges of malfeasance in office have been, at various times during the past year, advanced by one against another of the members of the said Board of Land Commissioners, and that counter charges and recriminations have been advanced; and,

Whereas, Said charges have been given wide publicity through the medium of the Idaho Daily Statesman and the Evening Capital News, both newspapers of Boise, Idaho, and through such publicity have been made matters of common notoriety throughout the State; and,

Whereas, It appears further that many parties named in the attached exhibits have in their possession knowledge and documentary evidence which is relevant in the investigation in the said charges and counter charges:

Therefore, the undersigned demand that the said charges be investigated by the present session of this honorable body, that all parties having such apparent information or having possession of any evidence of any nature in the premises be subpoenaed and caused to give testimony on oath, and that all papers and documents relating to such charges be required to be produced all in order that the State may be correctly acquainted with the truth or falsity of such charges, and that justice may be done all parties implicated in said charges.

Respectfully submitted,

HUTTON.

The communication with its accompanying exhibits was referred by the Speaker to the Joint Investigating Committee.

Reports of Standing Committees.

The Committee on Printing submitted the following report:

Mr. Speaker:

Your Committee on Printing herewith report that we have had correctly printed and distributed the following House Bills:

House Bills Nos. 93, 96, 97, 103, 105, 107, 108, 109, 112, 114 and 120. Also amendments to House Bill No. 50.

The following bills have been read by copy and sent to the printer: House Bills Nos. 130, 132, 143, 145, 146, 147, 149, 151 and 152.

Also House Joint Resolutions Nos. 9 and 10 and House Joint Memorial No. 2.

JONES,
Chairman.

Report accepted.

The Committee on Public Health submitted the following report:

Mr. Speaker

The Committee on Public Health having had under consideration House Bill No. 141, by Smith, hereby renders its report, and recommend that the bill do pass.

Also, your Committee on Public Health having had under consideration House Bill No. 142, by Smith, hereby renders its report and recommend that the bill do pass

CROW,
Chairman.

Report adopted and House Bills Nos. 141 and 142 ordered engrossed.

The Judiciary Committee submitted the following report:

Mr. Speaker.

The Judiciary Committee having had under consideration House Bill No. 75, substitute for House Bill No. 45, by Jacobs, return the same to the House with the recommendation that the same be amended by striking out Subdivisions 7 and 8 and that bill do pass as amended.

Also House Bill No. 84, by Eckles, report favorably on the same and recommend that it be referred to the Committee on Privileges and Elections

Also House Bill No. 101, by Taylor, return the same to the House for correction. Section 7192 therein proposed to be amended has been amended by the Session Laws of 1909, and no reference is made to said Session Laws.

Also House Bill No. 120, by Nihart, recommend that the bill do pass.

Also Senate Bill No. 19, by Whitcomb, recommend that it do pass

Also House Joint Resolution No. 10, by Farmin, return the same with the recommendation that it be referred to the Committee on Revenue and Taxation

FEATHERSTONE,
Chairman.

Report adopted and House Bill Nos. 75 and 101 placed on General Calendar, and House Bill No. 120 ordered engrossed

The Committee on Appropriations submitted the following report:

Mr. Speaker:

The Committee on Appropriations having had under consideration Senate Bill No. 39 hereby render its report and recommend that this bill do pass

The Committee on Appropriations having had under consideration House Bill No. 131 hereby render its report and recommends that this bill do pass

The Committee on Appropriations having had under consideration House Bill No. 133 hereby render its report and recommends that this bill do pass

The Committee on Appropriations having had under consideration House Bill No. 82 does hereby render its report as follows:

That the words and figures seventy-two thousand (\$72,000) be substituted for the words and figures eighty thousand (\$80,000) in

line two of the title of said act, and all parts of said Act where the words and figures eighty thousand are used seventy-two thousand be substituted in place thereof.

That in line two of Section 2, between the word "issue" and the word "bond" the word and figures seventy-two be substituted for the word and figures eighty, and that in line ten of section 2 the words and figures seventy-two be substituted for the word and figures eighty.

That Section 5 be further amended by adding at the end thereof the following:

That any sum or sums of money remaining in the sinking fund after the said principal and interest have been paid shall be paid into the general fund.

That in line four of section 9 the figures 70,815.92 be substituted for the figures 78,815.92.

That the bill as so amended do pass.

BELL,
Chairman.

Report adopted and House Bills Nos. 39, 131 and 133 ordered engrossed and House Bill No. 82, as amended, referred to Committee of the Whole.

The Committee on Roads, Bridges and Ferries submitted the following report:

Mr. Speaker:

We, your Committee on Roads, Bridges and Ferries, having had under consideration House Bills Nos. 23, 32 and 51, beg leave to report as follows:

We herewith offer a substitute bill for House Bill No. 23 and recommend that said substitute do pass.

We recommend that House Bill No. 32 be amended as follows: That the words and figures "seven thousand dollars (\$7,000.00)" be stricken from the title of said House Bill and that the words and figures "five thousand five hundred (\$5,500.00)" be substituted therefor. That the words and figures "seven thousand dollars (\$7,000.00)" in line 3, Section 9, be stricken out and the words and figures "five thousand five hundred dollars (\$5,500.00)" be substituted therefor. And that line 6, in Section 10, be amended by striking out the word and figure "seven (7)" and substituting therefor the word and figure "six (6)." And that lines 5 and 6, in Section 16, be amended by striking out the words and figures "seven thousand dollars (\$7,000.00)" and substituting therefor the words and figures "five thousand five hundred dollars (\$5,500.00)," and that line 9, Section 16, be amended by striking out the words "seven thousand dollars" and substituting therefor the words "five thousand five hundred dollars." And that line 17 of said Section 16 be amended by striking out the words and figures "seven thousand dollars (\$7,000.00)" and substituting therefor the words and figures "five thousand five hundred dollars (\$5,500.00)." And recommend that said bill as amended do pass.

We recommend that House Bill No. 51 be amended as follows: That the words and figures "fifteen thousand dollars (\$15,000.00)" be stricken from the title thereof and the words and figures "ten thousand dollars (\$10,000.00)" be substituted therefor. That the words and figures "fifteen thousand dollars (\$15,000)" be stricken from line 3, Section 9, and the words and figures "ten thousand dollars (\$10,000)," be substituted therefor. And that the word and figures "fifteen (15)" be stricken from line 12 of Section 9 and the word and figures "ten (10)" substituted therefor. And that the word and figures "fifteen (15)" be stricken from line 5 of Section 10 and the word and figures "ten (10)" substituted therefor. And recommend

that said bill, as amended, do pass.

Also, we, your Committee on Roads, Bridges and Ferries, having had under consideration Senate Bill No. 28, recommend that the same do pass. And also having had under consideration House Bill No. 144 recommend that same do pass.

GLENNON,
Chairman.

Reoprt adopted and House Bill No. 144 ordered engrossed and House Bill No. 32, be referred to Committee of Whole with amendments.

The Committee on Engrossed and Enrolled Bills submitted the following report:

Mr. Speaker:

We, your Committee on Engrossed and Enrolled Bills, having had under consideration H. J. M. No. 3, report the same properly enrolled.

GLENNON,
Chairman.

Report adopted

Speaker announced that he was about to sign H. J. M. No. 3. H. J. M. No. 3 was then signed by the Speaker.

The Committee on Railroads, Carriers and Other Corporations submitted the following report:

Mr. Speaker:

Your Committee on Railroads, Carriers and Other Public Corporations, having had under consideration House Bill No. 114, by Walker, reports the same back to the House with the recommendation that it do pass.

DAVIS,
Chairman.

Report adopted and H. B. No. 114 referred to Engrossing Committee and ordered engrossed.

The Committee on Privileges and Elections submitted the following report:

Mr. Speaker:

We, your Committee on Privileges and Elections, having had under consideration House Bills Nos. 125 and 126, beg leave to report that we recommend that they do pass.

BRADLEY,
Chairman.

Report adopted and House Bills Nos. 125 and 126 ordered engrossed.

Speaker announced that he was about to sign S. J. M. No. 2.

S. J. M. No. 2 was then signed.

Introduction of Bills, Concurrent Resolutions and Joint Memorials,
The following bills were introduced:

H. B. NO. 153, BY OAKES.

An Act to amend Section 2784 of the Revised Codes of the State of Idaho, as amended by an Act approved February 20, 1909, amending Section 2784 of the Revised Codes of the State of Idaho, providing for an annual license fee and the filing of an annual statement upon the part of corporations doing business in the State of Idaho.

H. B. NO. 154 (SUBSTITUTE FOR H. B. NO. 127), BY JAYNE AND DUNNING.

An Act amending Section 1644 of the Revised Codes of Idaho by adding Subdivision 13.

H. B. NO. 155, BY SMITH AND CROW.

An Act relating to railroad, express, telephone and telegraph companies, establishing a commission to control and regulate the same, and the conduct, management, rates, tolls, equipment, facilities and operation thereof; defining the powers and duties of such commission and the means of enforcing such powers and duties, whereby, among other things, discrimination and extortion in railroad, express, telephone and telegraph charges may be prevented, and reasonable and just freight and passenger service and tariff may be corrected and established and tolls, charges, contracts, equipment and facilities for telephone and telegraph companies may be regulated; to authorize the commission to make all necessary rules and regulations for its government and the carrying into effect of the provisions of this Act; to give to said commission the power to regulate a sale of railroad tickets, and to correct and provide charges for hauling loaded or empty cars, proper trackage, proper train service, sufficient freight and passenger rooms, and just and reasonable joint rates and demurrage charges; providing for proper equipment, safety devices and appliances for railroad, telephone and telegraph companies, and the inspection of the same; to prescribe penalties for the violation of this Act, and to provide means and rules for its proper enforcement, and making an appropriation therefor; to authorize the commission to provide the proper railroad connections and sidings; to provide proper and reasonable charges and penalties to be paid by shippers for failure to promptly load or unload cars; to provide for the furnishing of cars to shippers, and prescribing the time of loading, transporting and unloading the same, with storage incident thereto, and providing charges and penalties for delay and for the violation of this Act, and authorizing the said commission to prescribe additional rules and to enforce the same in the provisions of this Act, to authorize and empower the said commission to ascertain the value of all railroad property in this State; to authorize said commission to make findings thereon and establish rules of evidence covering the same; to authorize said commission to designate certain books and accounts to be kept by the companies doing business in this State; providing for safety appliances and track inspection; authorizing said commission to investigate accidents; and to provide penalties for the violation of this Act.

H. B. NO. 156, BY DAVIS AND BELL.

An Act providing for the organization, discipline and regulation of the organized militia of this State, known as the National Guard of Idaho, providing that certain privileges and exemptions shall be enjoyed by members thereof; providing for the punishment of certain offenses hereby declared to be felonies and misdemeanors, prohibiting the wearing of the uniform or any part thereof by other than members of the organized militia; prohibiting the drilling of unauthorized military bodies and fixing the punishment for violations thereof; fixing the salaries of certain officers; making an appropriation for the support of the organized militia; repealing all Acts and parts of Acts in conflict herewith; and declaring an emergency.

H. B. NO 157, BY BLACK, THOMPSON, LEAF AND NELSON.

An Act providing for the issuance and sale of State bonds in the sum of nine thousand (\$9,000) dollars, and appropriating the proceeds thereof for the construction of a draw bridge across the St. Joe River at St. Maries, in Kootenai County, and authorizing the levy of an annual ad valorem tax to provide a sinking fund for the payment of such bonds at maturity and the interest thereon as the same becomes due; providing that the cost and fair value of said bridge shall not be less than eighteen thousand (\$18,000) dollars, and that

the additional amount over and above the sum of nine thousand (\$9,000) dollars shall be raised from other sources and made available to the satisfaction of the Governor of Idaho before the proceeds of the sale of said bonds, or any part thereof, shall be available, providing for a bridge commission to have general control of the construction of said bridge and of the disbursement of the appropriation made by this Act.

H B NO 153, BY THE JUDICIARY COMMITTEE

An Act to amend Section 1989 of the Political Code of the Revised Codes of the State of Idaho by adding Subdivision 5 thereto, providing the qualifications of persons to be elected or appointed to the office of Probate Judge.

H. B NO 159, BY NIHART, (BY REQUEST).

An Act to amend Section 3244 of the Revised Codes of Idaho, relating to the appropriation, diversion and reclamation of water, so as to provide that when water is turned into the channel of a stream an equal amount may be diverted from any tributary or tributaries of the streams that have been increased by such additional flow.

H B NO. 160, BY GALLOWAY.

An Act providing for the issuing and sale of State bonds in the sum of fifteen thousand (\$15,000) dollars, and appropriating the proceeds thereof for the construction of a wagon bridge across the Snake River, near Brownlee or Robinette, at some point to be selected and designated by the Probate Judge of Washington County, Idaho, and the County Judge of Baker County, Oregon, and a third person chosen by them, by the State of Idaho acting jointly with the State of Oregon, authorizing the levying of an annual ad valorem tax to provide a sinking fund for the payment of such bonds at maturity and the interest thereon as the same becomes due, providing for a bridge commission to have control of the construction of said bridge and of the disbursement of the appropriation made by this Act; and conditioned upon the appropriation of the State of Oregon for a similar purpose of an equal sum

Speaker announced that, hereafter, all bills introduced and carrying appropriations would be referred to the Committee on Appropriations

Message From the Senate.

The following message was received from the Senate
Mr. Speaker

I have the honor to transmit herewith House Bill No 46, by Crow, which has passed the Senate

CHARLES J LISLE,

Assistant Secretary of Senate

House Bill No. 46 was referred to Committee on Enrolled Bills and ordered enrolled.

Reference of Bills.

Speaker referred the following bills to their respective committees:

H. B No 145, Banks and Banking.

H B No 146, Revenue and Taxation.

H. B No. 147, Education.

H B No 148, Banks and Banking.

H. B. No 149, Public Health

H B No. 150, Roads, Bridges and Ferries.

H. B No. 151, Ways and Means

H. B No. 152, Ways and Means.

First Reading of House Bills, Concurrent Resolutions and Joint Memorials.

The following House Bills were read first time in full:

H. B. No. 153, by Oakes.

H. B. No. 154 (substitute for H. B. No. 127), Jayne and Dunning.

H. B. No. 155, by Smith and Crow.

H. B. No. 156, by Davis and Bell.

H. B. No. 157, by Black, Thompson, Leaf and Nelson.

H. B. No. 158, by Judiciary Committee.

H. B. No. 159, by Nihart (by request).

H. B. No. 160, by Galloway.

Second Reading and Reference of House Bills, Concurrent Resolutions and Joint Memorials.

The following House bills were read second time in full:

H. B. No. 145, by Hill.

H. B. No. 146, by Dunning.

H. B. No. 147, by Gibson.

H. B. No. 148, by Nihart, Jayne and Dunning.

H. B. No. 149, by Committee on Public Health.

H. B. No. 150, by Nihart.

H. B. No. 151, by Galloway.

H. B. No. 152, by Galloway.

Speaker announced he would be absent from the room a short time and called Edgington to the Chair.

Third Reading of House Bills, Concurrent Resolutions and Joint Memorials and Final Action Thereon.

House Bill No. 105 was read a third time at length, section by section, for final action.

Moved by Hutton and seconded by Walker that House Bill No. 105 be referred to Committee on Live Stock.

Motion lost.

The question being "Shall the bill pass?" the roll was called with the following results:

Ayes—Allred, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Crow, Davis, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Gibson, Hendricks, Hill, Hyde, Jayne, Johnston, Jones, McCabe, Nielsen, Nihart, Oakes, Pincock, Smith, Strode, Taylor, Terrell, Thompson, Warnick.

Nays—Arthur, Ceaser, Dunning, Galloway, Hellekson, Holmberg, Hutton, Johnson, Morgan, Parker, Sorenson, Stephens, Walker, Wood.

Total number of votes, 49. Ayes, 35. Nays, 14. Absent, not voting, 10.

And so the bill passed, title was approved and H. B. No. 105 ordered transmitted to the Senate.

House Bill No. 109 was read third time at length, section by section, for final action.

Morgan moved that the House go into Committee of the Whole for the consideration of amendments to Section 17 of said bill. Seconded by Galloway.

Motion carried and House resolved itself into Committee of the Whole for the consideration of H. B. No. 109.

House In Committee of the Whole.

Davis in the chair.

House in Session.

The Committee of the Whole submitted the following report:

Mr. Speaker:

The Committee of the Whole have had under consideration House

Bill No. 109 and recommend that the bill be recommitted to the Committee on Public Health for further amendment.

DAVIS,
Chairman.

Moved by Hill and seconded by Johnson that the report of the Committee of the Whole be adopted.

Motion carried.

Report adopted and House Bill No 109 referred to Committee on Public Health.

Third Reading of House Bills, Joint Resolutions and Memorials and Final Action Thereon.

House Bill No. 35 was read a third time at length, section by section, for final passage.

A clerical error in section 1 of House Bill No 35 showed the figures "21" instead of "19," as amended in the Committee of the Whole, and adopted by the House. Unanimous consent was given the Chief Clerk to change the figures in the bill by inserting the figures "19" in place of "21" wherever they occurred in the bill.

The question being "Shall the bill pass?" the roll was called with the following result:

Ayes—Allred, Arthur, Baldridge, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jayne, Jenson, Johnson, Johnston, Jones, Morgan, McCabe, Nielsen, Nihart, Oakes, Parker, Pincock, Smith, Sorenson, Stephens, Strode, Terrell, Taylor, Thompson, Walker, Warnick.

Nays—Sanborn.

Total number of votes, 50. Ayes, 49. Nays, 1. Absent, not voting, 7. Paired, 2.

And so the bill passed and title was read.

Unanimous consent was given to correct the title to read as follows:

"An Act regulating pool halls, billiard halls, pool rooms, card room, or other places operated for profit, in which pool, billiards or games of chance are played by the general public and prescribing a penalty.

Mr. Speaker in the Chair

House Bill No. 64 was read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" the roll was called with the following result:

Ayes—Allred, Arthur, Baldridge, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jayne, Jenson, Johnson, Johnston, Jones, Morgan, McCabe, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 50. Ayes, 50. Nays, none. Absent and not voting, 9.

And so the bill passed, title was approved and House Bill No. 64 ordered transmitted to the Senate.

House Bill No. 87 was read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldridge, Bell, Berry, Black, Bower, Bradley, Burrell, Crow, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hellekson, Hendricks, Hill, Holm-

berg, Hutton, Hyde, Jayne, Jenson, Johnston, Jones, McCabe, Nielsen, Nihart, Oakes, Pincock, Sanborn, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wood, Mr. Speaker.

Nays—Bradford, Ceaser, Johnson, Parker.

Total number of votes 50. Ayes, 46. Nays, 4. Absent and not voting 9.

And so the bill passed, title was approved and H. R. No. 87 ordered transmitted to the Senate.

House Bill No. 88 was read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldridge, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jenson, Johnson, Johnston, Jones, Morgan, McCabe, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 51. Ayes, 51. Nays, none. Absent and not voting, 8.

And so the bill passed, title was approved and House Bill No. 88 was ordered transmitted to the Senate.

Moved by Morgan and seconded by Walker that House adjourn until 9 a. m. Thursday.

Motion carried.

House adjourned.

CHARLES D. STOREY,
Speaker.

JAMES H. WALLIS
Chief Clerk.

THURSDAY, TWENTY-FIFTH DAY, JANUARY 26, 1911.

Morning Session.

Hall of the House of Representatives,
Boise, Idaho, January 26, 1911.

House met pursuant to adjournment. Mr. Speaker in the Chair.

Prayer was offered by the Chaplain.

Roll call showed all members present except Leaf, Wilson, Hanmer and Kerby, excused on joint north and south committees.

The Journal for the twenty-fourth day was then read.

The Committee on Journal submitted the following report:
Mr. Speaker:

The Committee on Journal herewith report that they have had under consideration the Journal for the twenty-fourth day and have corrected the same, and move that the Journal for that day be approved.

WARNICK,
Chairman.

Report adopted and Journal for twenty-fourth day approved.

Reports of Standing Committees.

The Committee on Printing submitted the following report:
Mr. Speaker:

Your Committee on Printing herewith report that we have had correctly printed and distributed the following bills:

House Bills Nos 118 and 119, and the following bills have been read by copy and sent to the printer: House Bills Nos. 150, 153, 154, 156, 157, 158, 159, 160, and House Bill No. 155 has been read by copy, corrected, and are now in the hands of the Chief Clerk.

JONES,
Chairman)

Report adopted.

The Committee on Engrossed and Enrolled Bills submitted the following report:

Mr. Speaker:

We, your Committee on Engrossed and Enrolled Bills report House Bills Nos. 27, 111, 112 and 123 correctly engrossed.

GLENNON,
Chairman.

Report adopted.

Unanimous consent was given Dunning to withdraw H. B. No. 154.

Introduction of Bills, Concurrent Resolutions and Joint Memorials.

The following bills were introduced:

H. B. NO. 161 (SUBSTITUTE FOR H. B. NO 23, BY MORGAN), BY COMMITTEE ON ROADS, BRIDGES AND FERRIES.

An Act to amend Section 963 of the Political Code of the State of Idaho, and providing that the Board of County Commissioners of any county may suspend the operation of said section within said county.

H. B. NO 162, BY BOWER (BY REQUEST).

An Act providing for the distribution and delivery of stored waters through streams and natural water courses, providing for the appointment of special deputy State Engineers and assistants; declaring a misdemeanor and repealing an Act entitled "An Act to provide for the safe guarding of the rights of those conserving public waters in reservoirs and prohibiting the misappropriation of such waters by those having no right to the use of the same and declaring a misdemeanor," approved March 13, 1909, and declaring an emergency.

H. B NO 163, BY ALLRED

An Act to provide for the payment of a grazing license fee on sheep entering the State of Idaho from other States and Territories; and providing a penalty for the violation thereof.

H. B NO. 164 (SUBSTITUTE FOR H. B NO. 154), BY JAYNE AND DUNNING.

An Act amending Section 1644 of the Revised Codes of Idaho by adding Subdivision 13

H. B NO. 165, BY EIMERS AND STEPHENS

An Act to provide for the construction and grading of an eight foot roadbed on about five miles of a public highway known as the Whitebird-Dumacque wagon road in Idaho County, Idaho, commencing at a place known as Lyon's Ferry on Salmon River, which point is about one and a half miles from Whitebird, and running about five miles in a northwesterly direction from said point through townships 28 and 29 north, range 1 east, Boise Meridian, in said county; providing that the cost and expense of the construction of and grading of the said roadbed of said road shall not be less than four thousand dollars (\$4,000) and the surveying and right-of-way shall cost not less than one thousand dollars (\$1,000), and that the additional amount over and above the sum of four thousand dollars (\$4,000) shall be raised from other sources than from the bonds herein provided, and made available, and the said right-of-way shall be surveyed, purchased and dedicated to the public as a public highway; all to be to

the satisfaction of the Governor of the State of Idaho before the proceeds of the sale of said bonds, or any part thereof, shall be available; creating the Whitebird-Dumacque Wagon Road Commission; prescribing its duties and powers; providing for the issue and sale of State bonds to defray the cost of building said roadbed; and authorizing the levy of an annual ad valorem tax to pay the principal and interest of said bonds.

H. B. NO. 166, BY HUTTON.

An Act making fraudulent advertising unlawful and providing a penalty therefor.

H. B. NO. 167, BY TERRELL, HENDRICKS AND HYDE.

An Act providing for the issuance and sale of State bonds in the sum of ninety-four thousand dollars (\$94,000), and appropriating the proceeds thereof to the Academy of Idaho for constructing additional buildings, enlarging the campus and increasing the equipment of said school; and authorizing the levy of an annual ad valorem tax for providing a sinking fund for the payment of such bonds at maturity and the interest thereon as the same becomes due, and declaring an emergency.

H. B. NO. 168, BY CEASER.

An Act granting relief to the Liberty Plumbing & Heating Company, Limited, of Boise, Idaho; and appropriating therefor the sum of two thousand seventy-five dollars (\$2,075).

H. B. NO. 169, BY EIMERS.

An Act appropriating the sum of fifteen thousand dollars (\$15,000) for the construction of a wagon bridge across the Salmon River about 500 feet above the Goff ferry on the line of the State wagon road in Idaho County; authorizing the use and expenditure of said sum in the preparation of plans and specifications and the construction and erection of said bridge; authorizing and directing the construction of such bridge and approaches; appointing a commission for the direction and control of the work, and designating and appointing the commissioners of Idaho County to act as such bridge commission for adopting plans and specifications and awarding the contract for the construction of such bridge, and granting all necessary power and authority to such commission to do and perform all things necessary for the construction thereof, and the approval of the work and acceptance of said bridge; providing that the same shall be the property of the State of Idaho and shall be kept open and maintained by Idaho County, and upon the completion and acceptance thereof shall be a free bridge; and declaring an emergency.

H. J. R. NO. 11, BY DAVIS.

A Joint Resolution proposing an amendment to Section 1, Article 4, of the Constitution of the State of Idaho, submitting to the electors of said State, for their approval or rejection, the question whether said section shall be so amended as to provide that the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General and Superintendent of Public Instruction shall each hold his office for the term of four years and the Governor be ineligible to re-election.

H. J. R. NO. 12, BY WARNICK, FEATHERSTONE AND HANMER.

A Joint Resolution proposing the amendment of Section 2, Article 9, of the Constitution of the State of Idaho, submitting to the electors of the State, for their approval or rejection, the question: "Shall the general supervision of the educational system of the State of Idaho

be vested in a State Commissioner of Education and a Board of Regents which shall consist of one member from each judicial district?"

Messages From the Senate.

The following message was received from the Senate
Mr. Speaker:

I have the honor to transmit herewith Senate Bill No. 48, by Haight, which has passed the Senate.

CHARLES J. LISLE,
Assistant Secretary of Senate.

First Reading of House Bills, Concurrent Resolutions and Joint Memorials.

The following House Bills were read the first time in full:

H. B. No. 161 (substitute for H. B. No. 23), by Committee on Roads, Bridges and Ferries.

H. B. No. 162, by Bower, by request.

H. B. No. 163, by Allred.

H. B. No. 164, by Jayne and Dunning.

H. B. No. 165, by Eimers and Stephens.

H. B. No. 166, by Hutton.

H. B. No. 167, by Terrell, Hendricks and Hyde.

H. B. No. 168, by Ceaser.

H. B. No. 169, by Eimers

H. J. R. No. 11, by Davis.

H. J. R. No. 12, by Warnick, Featherstone and Hanmer.

Bills referred to the Committee on Printing.

First Reading of Printed Amendments to House Bills.

Amendments to House Bill No. 50 were read first time in full.

Second Reading of House Bills, Concurrent Resolutions and Joint Memorials.

The following House Bills were read the second time in full:

H. B. No. 153, by Oakes.

H. B. No. 154 (substitute for H. B. No. 127), by Jayne and Dunning.

H. B. No. 155, by Smith and Crow.

H. B. No. 156, by Davis and Bell.

H. B. No. 157, by Black, Thompson, Leaf and Nelson.

H. B. No. 158, by the Judiciary Committee.

H. B. No. 159, by Nihart (by request).

H. B. No. 160, by Galloway.

Speaker announced that he was about to sign Senate Bill No. 20. Speaker then signed Senate Bill No. 20.

Third Reading of House Bills, Concurrent Resolutions and Joint Memorials and Final Action Thereon.

House Bill No. 27 read a third time at length, section by section, for final action.

Moved by Morgan and seconded by Dunning that House Bill No. 27 be referred to Committee of the Whole for the purpose of correcting the bill.

Motion carried.

House Bill No. 111 read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" the roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hellekson, Hen-

dricks, Hill, Holmberg, Hutton, Hyde, Jayne, Jenson, Johnson, Jones, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 50. Ayes, 50. Nays, none. Absent and not voting, 9.

And so the bill passed, title was approved, and House Bill No. 111 ordered transmitted to the Senate.

House Bill No. 112 read a third time at length, section by section, for final passage.

Moved by Morgan and seconded by Walker that H. B. No. 112 be referred to Committee of the Whole for the purpose of having the emergency clause stricken out.

Motion carried.

House Bill No. 123 read third time at length, section by section, for final action.

The bill not having been printed, final action on House Bill No. 123 was postponed and the bill ordered retained on third reading.

Third Reading of Senate Bills, Concurrent Resolutions and Joint Memorials and Final Action Thereon.

Senate Bill No. 39 read third time at length, section by section, for final action.

Moved by Galloway and seconded by Pincock that Senate Bill No. 39, and House Bills Nos. 82, 32 and 51 be referred to the Committee on Appropriations, and that the report of the Committee on Appropriations on these bills be considered by the House two weeks from to-day.

Motion lost.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Glennon, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jayne, Jenson, Johnson, Johnston, Jones, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Warnick, Wood, Mr. Speaker.

Nays—Walker.

Total number of vote, 53. Ayes, 52. Nays, 1. Absent and not voting, 6.

And so the bill passed, title was approved and Senate Bill No. 39 ordered transmitted to the Senate.

Senate Bill No. 19 read third time at length, section by section, for final action.

Morgan moved to refer Senate Bill No. 19 to Committee of the Whole for the purpose of striking out the emergency clause, and for further amendments. Seconded by Terrell.

Motion carried.

Senate Bill No. 28 read third time at length, section by section, for final action.

Moved by Pincock and seconded by Dunning that S. B. No. 28 be placed on the General Calendar.

Motion carried.

First Reading of Senate Bills, Concurrent Resolutions and Joint Memorials.

The following Senate Bill was read first time in full:
Senate Bill No. 48, by Haight.

Unanimous consent was given to return to the Seventh Order of Business

Reports of Standing Committees.

The Committee on State Affairs submitted the following reports:
Mr. Speaker:

We, your Committee on State Affairs, respectfully report that we have had under consideration House Bill No. 107, by Bower, report favorably on same and recommend that it be referred to the Committee on Appropriations with such recommendation.

JOHNSTON,
Chairman

Report adopted and House Bill No. 107 referred to Committee on Appropriations

Mr. Speaker:

We, your Committee on State Affairs, respectfully report that we have had under consideration House Bill No. 99, by Johnston, and recommend that it do pass

JOHNSTON,
Chairman.

Report adopted and House Bill No. 99 referred to Engrossing Committee and ordered engrossed.

Mr. Speaker:

We, your Committee on State Affairs, respectfully report that we have had under consideration House Bill No. 3, by Bell, and recommend that it do pass.

JOHNSTON,
Chairman.

Report adopted and House Bill No. 3 referred to Engrossing Committee and ordered engrossed.

Mr. Speaker:

We, your Committee on State Affairs, respectfully report that we have had under consideration House Bill No. 97, by Morgan, report favorably and recommend that it be referred to the Committee on Appropriations with such recommendation.

JOHNSTON,
Chairman

Report adopted and House Bill No. 97 referred to Committee on Appropriations.

Mr. Speaker:

We, your Committee on State Affairs, on Monday, the 16th day of January, visited the Soldiers' Home jointly with the Committee on State Affairs of the Senate, and beg leave to submit the following report:

The Home is conducted in a manner which reflects credit upon Commandant Chamberlain and his assistants

There were 158 members answered the roll call, out of 182 enrolled, the day we visited the institution, and we are pleased to report there was sufficient room and accommodation for them all.

The erection of a new barracks has relieved the crowded condition, and when the new barracks are completed and fitted up with the improvements outlined on page 6 of the Commandant's report, the Home will be in good shape to take care of the present or even an increased membership. A very commendable feature and one worthy of notice in the Soldiers' Home report is that under the head of farm products, five thousand nine hundred forty-three dollars' worth of produce was obtained from the ground in cultivation which belongs to the Home, and the same was accomplished by a very small expenditure of money. A gardener having been hired at \$6

per week, who was assisted by the farmer, who besides, performs the outdoor labor connected with the Home. There is not quite 30 acres available for pasture and farming and the cash outlay in producing \$5945 is not to exceed \$900. Of course, some of the labor is done by members of the Home in detail work. It will be seen that all the grounds are beneficially used, and are thus an economy to the State.

An economical method of procuring supplies for the institution has been carried out by the Commandant in submitting bids through advertisement twice each year. A simple system of accounts and reports are kept by having duplicate itemized vouchers for all expenses of the Home.

We recommend that in addition to the \$40,000 asked for general maintenance for the next two years, and \$11,327 asked for improvements, there be granted the sum of \$1500 for the purpose of an addition to the home used by the Commandant and his assistants. The kitchen and dining room are too small to accommodate the people using them. This will make the sum total of \$52,827 for maintenance and improvement.

JOHNSTON,

Chairman.

Report adopted and referred to Committee on Appropriations

The Committee on Public Health submitted the following report:

Mr. Speaker:

The Committee on Public Health having had under consideration House Bill No. 109, recommitted to it by the House, hereby submits its report:

Recommend that Section 7 of said Act be amended by interpolating between the words "hotel" and "having" in line 1 thereof the words "or public eating house;" also by interpolating in line 2 of said Section 7 between the words "clean" and "towels" the words "individual and not roller;" making the whole section read as follows:

Section 7. Each and every hotel, or public eating house, having a public washroom, shall keep therein at all times a sufficient supply of clean individual and not roller towels, in a place in sight at all times and easy of access to guests.

That Section 17 be amended by inserting the words "or his deputies" between the words "Inspector" and "to" in line 1 of said section; by inserting the words "at least once a year" between the words "inspection" and "of" in line 2 thereof; by striking out the word "license" in line 5 and inserting in lieu thereof the words "yearly certificate of inspection;" by striking out the word "thereof" in line 5 of said section and inserting in lieu thereof the word "therefore;" by adding at the end of said section the following words, "and shall be liable to be revoked at any time, and the place be closed by said inspector or deputy, if such premises shall become unsanitary, or said business shall not be conducted in conformity to the provisions of this law; and shall not be reopened until it has been placed in a sanitary condition, and approved by the said inspector or his deputy." So that the said section will read as follows:

Section 17. It shall be the duty of the State Dairy, Food and Sanitary Inspector, or his deputies, to make an inspection at least once a year of all restaurants, boarding houses, cafes or any other place where meals are served to the public, as well as soda fountains, ice cream stands or other places where temperance drinks are offered for sale, and if found to be in a sanitary condition, shall issue a yearly certificate of inspection to all such establishments, and collect therefor the sum of one dollar (\$1.00). Said certificate shall be posted up in a conspicuous place in said inspected building, and shall be

liable to be revoked at any time, and the place be closed by said inspector or deputy, if such premises shall become unsanitary, or said business shall not be conducted in conformity to the provisions of this law; and shall not be reopened until it has been placed in a sanitary condition, and approved by the said inspector or his deputy.

That Section 21 be amended by inserting between the words "hotel" and "who" in line 1, the following words "or other place to be inspected under the provisions of this law;" by inserting in line 2 of said section between the words "inspector" and "in" the words "or his deputy."

That Section 23 be amended as follows: By inserting in line 5, after the word "hotel" the following words, "or other business mentioned in this Act."

That at the end of said Section 23 the following be added: "Provided, however, That all permanent changes or alterations in any building or buildings necessary to conform to the requirements of this Act shall be made by the owner thereof."

That as so amended the bill do pass.

CROW,
Chairman.

Report adopted and House Bill No. 109 referred to Committee of the Whole.

Reference of Bills.

Speaker referred the following bills to their respective committees:

H. B. No. 153, Private Corporations.

H. B. No. 154, Judiciary.

H. B. No. 155, Railroads, Carriers and Other Corporations.

H. B. No. 156, Military and Indian Affairs.

H. B. No. 157, Roads, Bridges and Ferries.

H. B. No. 158, Judiciary.

H. B. No. 159, Irrigation, Reservoirs and Reclamation.

H. B. No. 160, Roads, Bridges and Ferries.

Introduction of Bills, Concurrent Resolutions and Joint Memorials.

The following bills were introduced:

H. B. NO. 170, BY DUNNING AND HILL.

An Act to amend Section 1716 of the Political Code of the State of Idaho relating to completion of assessment, valuation and equalization of property for taxation by the State Board of Equalization.

H. B. NO. 171, BY COMMITTEE ON PUBLIC HEALTH.

An Act regulating the sale of, and offering for sale illuminating oils and linseed or flaxseed oils; providing for the labeling of white lead paints, mixed paints and similar compounds by manufacturers and distributors; and providing penalties for the violation of this Act.

H. B. NO. 172, BY CROW.

An Act relating to the delivery of property and the discharge of administrators and executors.

H. B. NO. 173, BY CROW.

An Act amending Section 4140 of the Revised Codes of Idaho relating to the form and contents of summons in civil actions.

H. B. NO. 174, BY CROW.

An Act to provide for the appropriation of ten thousand (\$10,000) dollars for the completion, repair and maintenance of the Atlanta road, in the Counties of Elmore and Boise; for the creation of the Atlanta road commission, and for the prescribing of the powers and duties of said Atlanta road commission.

H. B. NO. 175, BY WARNICK.

An Act providing for free transportation of all State and county officers on the railroads and steamboats of all corporations doing business in the State of Idaho.

Messages From the Senate.

The following message was received from the Senate:

Mr. Speaker:

I have the honor to transmit herewith Senate Bill No. 13, by Macbeth, which has passed the Senate.

Also Senate Bill No. 11, by Whitcomb, which has passed the Senate.

Also Senate Bill No. 23, by Whitcomb, which has passed the Senate.

Also Senate Bill No. 27, by Williams, which has passed the Senate.

CHARLES J. LISLE,

Assistant Secretary of Senate.

First Reading of House Bills, Concurrent Resolutions and Joint Memorials.

The following bills were read first time in full:

H. B. No. 170, by Dunning and Hill.

H. B. No. 171, by Committee on Public Health.

H. B. No. 172, by Crow.

H. B. No. 173, by Crow.

H. B. No. 174, by Crow.

H. B. No. 175, by Warnick.

First Reading of Senate Bills, Concurrent Resolutions and Joint Memorials.

The following Senate Bills were read first time in full:

S. B. No. 13, by Macbeth.

S. B. No. 11, by Whitcomb.

S. B. No. 23, by Whitcomb.

S. B. No. 27, by Williams.

Committee of the Whole.

House resolved itself into Committee of the Whole for consideration of the General Calendar. Baldrige in the Chair.

House In Session.

The Committee of the Whole submitted the following report:

Mr. Speaker:

The Committee of the Whole have had under consideration the General Orders of the Day, and make the following recommendations:

That H. B. No. 39, as amended, do pass.

That H. B. No. 75 be laid over until the return of the author, and that H. B. No. 101 be returned to author of the bill for correction.

That H. B. No. 82, the emergency clause be stricken out and that the bill as amended by the Committee on Appropriations do pass.

BALDRIDGE,

Chairman.

Report adopted, and amendments to House Bills Nos. 39 and 82 ordered printed.

Moved by Galway and seconded by Sanborn that the privilege of the Hall of Representatives be extended to the County Commissioners and County Assessors for the afternoon.

Motion carried.

Unanimous consent was given, Taylor to withdraw House Bill No. 101.

Chief Clerk.

Mr. Speaker. The Judiciary Committee having had under considera-

tion House Bill No. 78, substitute for House Bill No. 21, by Bradley (by request), return the same to the House with the recommendation that it do not pass, for the reason that it will necessitate an entire revision of the tax laws in order to harmonize the balance of the tax system with the proposed change.

Also House Bill No. 137, substitute for House Bill No. 9, by Crow, recommend that it do pass.

Also House Bill No. 115, by Crow, recommend that it do pass.

Also House Bill No. 116, by Crow, report the same back with the recommendation that it do not pass.

Also House Bill No. 108, by Farmin, return the same to the House with the recommendation that it be referred to the Committee on Revenue and Taxation.

FEATHERSTONE,

Chairman.

Moved by Featherstone, seconded by Crow, that report of Judiciary Committee be adopted.

Carried.

Report adopted and House Bills Nos. 137 and 115 referred to Engrossing Committee.

The Committee on County Lines and Boundaries submitted the following report:

Mr. Speaker:

Your Committee on County Lines and Boundaries, having had under consideration House Bill No. 2, by Bell and Holmberg, beg to report the same back to the House with the recommendation that the whole of Section 22 thereof be stricken out and that the numbers of Sections 23, 24 and 25 be changed to 22, 23 and 24, respectively, and that the title of said bill be amended to read as follows:

"An Act to create and organize the County of Clearwater in the State of Idaho; to define the boundaries thereof; to classify said county and locate its county seat; to provide for the appointment and service of officers, the making, transcribing and legalizing of records, and the creation of revenue for said new county; the transfer of prisoners and of actions, pleadings, files, records, papers and other matters to and the holding of courts in said county; the apportionment and adjustment of indebtedness and property between said county and the County of Nez Perce; the placing of said Clearwater County in the Second Judicial District; for the repeal of conflicting acts and to declare an emergency whereby this Act shall be in effect from and after its passage and approval."

And we further recommend that the said bill do pass as so amended.

JOHNSTON,

Chairman.

Report adopted and House Bill No. 2 placed on the General Calendar.

The Committee on State Affairs submitted the following report:

Mr. Speaker:

We, your Committee on State Affairs, accompanied by the Governor, James H. Hawley, Attorney-General McDougall, Secretary of State Gifford, on January 14th, visited the State Penitentiary, and beg to submit to you the following report:

There were 217 prisoners. A new cell has been constructed or rather new cells have been placed in the north wing of a cell house building commenced many years ago, and the forty modern steel cells are a very fine piece of work, and furnished by the Paulty Jail Building Company. The latest sliding door for all the cells, or any one of them, and locking devices, are right up-to-date. A first-class steel and concrete roof has been placed over this cell house, and it is a decided improvement in every way. The cells in the other part

of this building, finished a number of years ago, are not modern or safe, and should be taken out of the structure, and, as they are made of rock, the material could be used to advantage in building a barn, which the institution stands much in need of. A guard's kitchen and sleeping room should be added to the present office building. Forty more cells should be installed, which would be the exact duplicate of those above referred to, and above them in the same building.

The Warden, Mr. John W. Snook, in his report, asked for \$30,000 for necessary improvements, in addition to the regular sum for maintenance, and we think this amount reasonable and necessary, and recommend that the same be granted.

In regard to the management of the institution, we were favorably impressed and believe Mr. Snook to be a capable and efficient officer. A system of purchase by submitting bids has been adopted that appears to us to obtain the supplies at the lowest possible price. A very good bookkeeping system is in vogue, which maintains a thorough check on the entire establishment, and all the expenditures for the prison service. We were all impressed with the necessity of using to better advantage the prison labor. The warden's recommendation with reference to employment for prisoners, contained on page 6 of his report, can be profitably read by every member of the Legislature. It is a pity to see 150 able-bodied men kept in idleness, which is an injury to themselves, and the proper management of the prison. A large body of men constantly associating together in idleness can not produce anything but evil effects upon them, and is therefore a detriment to the good management of the institution.

An appropriation of \$100,000 for two years' maintenance and of \$30,000 for improvements is hereby recommended.

We your committee, with the consent and approval of the Prison Board, expect in the near future to introduce a bill looking to the building of a home for feeble-minded children, which will provide a profitable avenue for the employment of the prison labor above referred to.

We indorse the plan of establishing a school in the Penitentiary along the lines suggested by Governor James H. Hawley in his message.

JOHNSTON,
Chairman.

Report adopted, and referred to Committee on Appropriations

The Committee on Public Health submitted the following report:
Mr. Speaker:

The Committee on Public Health having had under consideration House Bill No. 68, hereby renders this report:

That between the word "designated" and the word "and," in line 25 of Section 4, the following be inserted.

"Provided, That if no suitable person can be obtained to act as a local registrar, or if the State Board of Health may desire for any reason whatever more local registrars, the said Board of Health, or the State Registrar, may appoint any Justice of the Peace of the State as a local registrar, and when so appointed and notified of said appointment, it shall be the duty of the said Justice of the Peace so appointed to perform all the duties of a local or sub-registrar."

That in Subdivision 6 of Section 14 the words "except for illegitimate children" be stricken out.

That Section 28, being the emergency clause of the bill, be stricken out.

That as so amended, the bill do pass.

CROW,
Chairman

Moved by Crow and seconded by Smith that the report be adopted. Report adopted and House Bill No. 68 ordered placed on the General Calendar.

Reference of Bills.

Speaker referred the following House Bills to their respective committees:

- H. B. No. 161, Roads, Bridges and Ferries.
- H. B. No. 162, Irrigation, Reservoirs and Reclamation.
- H. B. No. 163, Live Stock.
- H. B. No. 164, Revenue and Taxation.
- H. B. No. 165, Roads, Bridges and Ferries.
- H. B. No. 166, Judiciary.
- H. B. No. 167, Appropriations.
- H. B. No. 168, Appropriations.
- H. B. No. 169, Roads, Bridges and Ferries.
- H. B. No. 170, Revenue and Taxation.
- H. B. No. 171, Public Health.
- H. B. No. 172, Judiciary.
- H. B. No. 173, Judiciary.
- H. B. No. 174, Roads, Bridges and Ferries.
- H. B. No. 175, Railroads, Carriers and Other Public Corporations.
- H. J. R. No. 11, Privileges and Elections.
- H. J. R. No. 12, Privileges and Elections.
- S. B. No. 48, Roads, Bridges and Ferries.
- S. B. No. 27, Roads, Bridges and Ferries.
- S. B. No. 11, Judiciary Committee.
- S. B. No. 23, Judiciary Committee.
- S. B. No. 13, Committee on Live Stock.

Introduction of Bills, Concurrent Resolutions and Joint Memorials.

The following bills were introduced:

HOUSE BILL NO. 176, BY ALLRED.

An Act allowing county commissioners to fix a minimum annual salary for constables and providing for the payment of same.

HOUSE BILL NO. 177, BY MORGAN.

An Act making it unlawful for any person, firm or corporation operating any railroad within the State of Idaho, whereon steam or electricity is used as motive power, to employ any conductor, engineer, fireman, brakeman, switchman or any other employe whose duty may require him to act as flagman who can not read, write and speak the English language; and providing a penalty for the violation thereof.

HOUSE BILL NO. 178, BY NIHART (BY REQUEST).

An Act to create and organize the County of Craig, in the State of Idaho; to define the boundaries thereof; to classify said county and locate its county seat; to provide for the appointment and service of officers, the making, transcribing and legalizing of records, and the creation of revenue for said new county; the transfer of prisoners and of actions, pleadings, files, records, papers and other matters, and the holding of courts in said county; the apportionment and adjustment of indebtedness and property between said county and the County of Nez Perce; the placing of said Craig County in judicial, senatorial and legislative districts; for the repeal of conflicting acts; and to declare an emergency whereby this act shall be in effect from and after its passage and approval.

H. B. NO. 179, BY STATE AFFAIRS COMMITTEE.

An Act to provide for the establishment, building and equipping

of the Idaho State Sanitarium for the care, protection, treatment and education of feeble-minded and epileptic persons; and the admission, support, transfer and discharge of its inmates; and to provide for the issuance, sale and redemption of bonds, to receive money for building and equipping of said sanitarium; to provide for a board of directors who shall purchase lands, manage and control said sanitarium, and to appropriate funds for the maintenance thereof; and to authorize the employment of the prisoners at the State prison in furnishing labor and material therefor.

H. B. NO. 180, BY OAKES.

An Act requiring and compelling passenger trains to stop at all County Seats of the State through which they operate; and providing penalties against corporations owning the said trains and the engineers and conductors and agents in charge of said trains for failing to comply with the provisions of this Act.

H. B. NO. 181, BY OAKES.

An Act to create the office of chaplain for the State penitentiary, and defining the duties of the chaplain; and making appropriation therefor.

H. B. NO. 182, BY TERRELL.

An Act to amend Section 7860 of the Penal Code of the State of Idaho, providing that in all criminal actions defendants jointly charged may be tried separately or jointly, in the discretion of the Court.

H. B. NO. 183, BY MORGAN.

An Act making it unlawful for any person, company, or corporation operating a machine shop, foundry, or other factory within the State of Idaho in which steam, electricity, gasoline, or gas is used as motive power, to employ any person as laborer or operative therein who can not read, write and speak the English language; and providing a penalty for the violation thereof.

H. B. NO. 184, BY WARNICK.

An Act to amend Section 1227 of Chapter 8 of Title 8 of the Revised Codes of the State of Idaho, relating to recorder of brands.

H. B. NO. 185, BY COMMITTEE ON PUBLIC HEALTH.

An Act to amend Section 8 of an Act entitled, "An Act relating to embalming and transportation of corpses; providing for the examination of embalmers; the cancellation of embalmers' licenses; giving the State Board of Health jurisdiction and control over the subject matter of this Act; the issuance of permits for shipping or transporting corpses, prescribing penalties for violation of this Act," approved March 13, 1909.

H. B. NO. 186, BY COMMITTEE ON PUBLIC HEALTH.

An Act to amend an Act entitled, "An Act relating to embalming and transporting corpses; providing for the examination and licensing of embalmers; the cancellation of embalmers' licenses, giving the State Board of Health jurisdiction and control over the subject matter of this Act; the issuance of permits for shipping or transporting corpses; prescribing penalties for violation of this Act," approved March 13, 1909.

H. B. NO. 187, BY COMMITTEE ON PUBLIC HEALTH.

An Act concerning weights and measures; defining units of length, surface, weight, liquid and dry measures; prescribing the measures and weight of certain food commodities when sold; prescribing a penalty for using false weights and measures; defining certain duties

of the State Sealer of Weights and Measures; making the County Clerk of each county the Sealer of Weights and Measures for the county, and defining their duties; prescribing fees for inspecting and sealing scales, weights and measures; and fixing penalties for violation of this Act, or for interfering with any official entrusted with the enforcement of its provisions; conferring upon any municipality the power to appoint local sealers.

H. B. NO. 188, BY COMMITTEE ON PUBLIC HEALTH.

An Act regulating the sale of syrups, molasses, glucose (corn syrup) mixtures and maple syrup mixtures, to protect the public health; and providing a penalty for the violation thereof.

H. B. NO. 189, BY HELLEKSON.

An Act to amend Section 2631 of the Civil Code of the State of Idaho by requiring the County Auditor to take an affidavit, or affidavits, of person, or persons, applying for marriage license; what said affidavit, or affidavits, shall set forth; and that the County Auditor shall furnish a certified copy of said affidavit, or affidavits, to the party applying for the license, which certified copy shall be exhibited to the party performing the marriage ceremony.

First Reading of House Bills, Concurrent Resolutions and Joint Memorials.

The following House Bills were read first time in full:

H. B. No. 176, by Allred.

H. B. No. 177, by Morgan.

H. B. No. 178, by Nihart (by request).

H. B. No. 179, by State Affairs Committee.

H. B. No. 180, by Oakes.

H. B. No. 181, by Oakes.

H. B. No. 182, by Terrell.

H. B. No. 183, by Morgan.

H. B. No. 184, by Warnick.

H. B. No. 185, by Committee on Public Health.

H. B. No. 186, by Committee on Public Health.

H. B. No. 187, by Committee on Public Health.

H. B. No. 188, by Committee on Public Health.

H. B. No. 189, by Hellekson.

House Bills Nos. 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188 and 189, referred to Committee on Printing.

First Reading of Printed Amendments to House Bills.

Amendments to House Bill No. 4 were read first time in full.

Second Reading and Reference of House Bills, Concurrent Resolutions and Joint Memorials.

The following bills were read the second time in full:

H. B. No. 161 (substitute for H. B. No. 23, by Morgan), by Committee on Roads, Bridges and Ferries.

H. B. No. 162, by Bower (by request).

H. B. No. 163, by Allred.

H. B. No. 164 (substitute for H. B. No. 154), by Jayne and Dunning.

H. B. No. 165, by Eimers and Stephens.

H. B. No. 166, by Hutton.

H. B. No. 167, by Terrell, Hendricks and Hyde.

H. B. No. 168, by Ceaser.

H. B. No. 169, by Eimers.

H. J. R. No. 11, by Davis.

H. J. R. No. 12, by Warnick, Featherstone and Hanmer.

Second Reading of Printed Amendments to House Bills.

Amendments to House Bill No. 50 were read the second time in full.

- Special Order.

Moved by Morgan and seconded by Johnson that House Bill No. 97 be made a special order of business for 9:55 this morning, and that it be placed at that time on its third reading and final passage.

Motion carried.

The hour 9.55 having arrived House Bill No. 97 was placed on its third reading and final passage

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Featherstone, Friend, Galloway, Gibson, Glennon, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jayne, Johnson, Johnston, Jones, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Warnick, Wood, Mr Speaker.

Nays—None

Total number of votes, 50. Ayes, 50. Nays, none Absent and not voting, 9.

And so the bill passed, title was approved, and House Bill No 97 was ordered transmitted to the Senate

Speaker announced that he would be absent from the room for a time, and called Baldrige of Canyon to the Chair.

Third Reading of House Bills, Concurrent Resolutions and Joint Memorials and Final Action Thereon.

House Bill No. 53 was read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Duning, Eckles, Edgington, Eimers, Featherstone, Friend, Galoway, Gibson, Glennon, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jayne, Johnson, Johnston, Jones, Morgan, McCabe, Nelson, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Warnick, Wood.

Nays—None.

Total number of votes, 48. Ayes, 48. Nays, none Absent and not voting, 11.

And so the bill passed, title was read and approved, and House Bill No 53 ordered transmitted to the Senate

House Bill No. 126 read third time at length, section ly section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Berry, Black, Bower, Bradley, Bradford, Burrell, Ceaser, Crow, Davis, Edgington, Eckles, Eimers, Featherstone, Galloway, Gibson, Glennon, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jayne, Johnson, Johnston, Jones, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Warnick, Wood.

Nays—Dunning.

Total number of votes, 48. Ayes, 47. Nays, 1. Absent and not voting, 10.

And so the bill passed, title was approved, and House Bill No. 126 ordered transmitted to the Senate.

House Bill No. 141 read third time at length, section by section, for final action.

Moved by Morgan and seconded by Crow that House Bill No. 141 be placed on the General Calendar for consideration by the Committee of the Whole.

Motion carried.

House Bill No. 131 read third time at length, section by section, for final action.

Bell moved that House Bill No. 131 be referred to Committee of the Whole. Seconded by Johnson.

Motion carried.

Speaker in the Chair.

House Bill No. 120 read third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Featherstone, Friend, Galloway, Gibson, Glennon, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jayne, Johnson, Johnston, Jones, Morgan, McCabe, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Warnick, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 50. Ayes, 50. Nays, none. Absent, not voting, 9.

And so the bill passed, title was approved, and House Bill No. 120 ordered transmitted to the Senate.

House Bill No. 133 read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Eckles, Edgington, Eimers, Featherstone, Friend, Galloway, Gibson, Glennon, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jayne, Jenson, Johnson, Johnston, Jones, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Warnick, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 51. Ayes, 51. Nays, none. Absent, not voting, 8.

And so the bill passed, title was approved, and House Bill No. 133 was ordered transmitted to the Senate.

House Bill No. 114 read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Eckles, Edgington, Eimers, Featherstone, Friend, Galloway, Gibson, Glennon, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jayne, Jenson, Johnson, Johnston, Jones, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Warnick, Wood, Mr. Speaker.

Nays—None.

. Total number of votes. 51, Ayes, 51. Nays, none. Absent, not voting, 8.

And so the bill passed, title was approved, and House Bill No. 114 was ordered transmitted to the Senate.

House Bill No. 125 read third time at length, section by section, for final action.

Moved by Davis that House Bill No. 125 be placed on the General Calendar. Seconded by Glennon.

Motion prevailed and H. B. No. 125 ordered to the General Calendar.

House Bill No. 144 read a third time at length, section by section, for final passage.

The question being "Shall the bill pass?" roll was called with the following result

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Featherstone, Friend, Galloway, Gibson, Glennon, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jayne, Jensen, Johnson, Johnston, Jones, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Warnick, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 51 Ayes, 51. Nays, none. Absent, not voting, 8.

And so the bill passed, title was approved, and House Bill No. 144 ordered transmitted to the Senate.

Second Reading and Reference of Senate Bills, Concurrent Resolutions and Joint Memorials.

The following Senate Bills were read second time in full:

S. B. No. 48, by Haight.

S. B. No. 13, by Macbeth

S. B. No. 11, by Whitcomb.

S. B. No. 23, by Whitcomb.

S. B. No. 27, by Williams.

Committee of the Whole.

House resolved itself into Committee of the Whole for the consideration of the General Calendar. Baldrige in the Chair.

House in Regular Session.

The Committee of the Whole submitted the following report:

Committee of the Whole.

Mr. Speaker:

The Committee of the Whole have had under consideration the General Calendar, and make the following recommendation:

That House Bill 109, as amended by the Committee on Public Health, do pass, and that such amendments be printed.

That H. B. No. 27 be amended by striking out Section 3 and the emergency clause, and that as amended, the bill do pass.

That House Bill No. 32 lie on the table.

That House Bill No. 51 be referred to Committee on Appropriations together with the amendments thereto.

That Senate Bill No. 28 be amended by inserting after the word "Wilfully" in the first line of Section 1, the words "or negligently," also between the words "cans" and "boards," in line 3, Section 1, insert the words "barbed wire." In line 3, Section 1, after the word "nails," insert the word "tacks" and that the title be amended to conform to these amendments, and that as amended the bill do pass.

That Senate Bill No. 19 be amended by inserting in line 7 of Section 1, after the word "year," the words "Immediately preceding with

date of application for admission to practice in this State," and that the bill be further amended by striking out Section 2, and that as amended the bill do pass.

BALDRIDGE,

Chairman.

On motion of Baldridge report of the Committee of the Whole was adopted.

Unanimous consent was given to return to the ninth order of business.

Motions and Resolutions.

Galloway submitted the following communication and moved its adoption:

Motion By Galloway.

Whereas, It is reported that Senator Weldon B. Heyburn of Idaho has written Secretary of State Gifford a letter in which he acknowledges receipt of the Memorial of the Idaho Legislature favoring direct election of United States Senators, which contains the following:

"The petition of the Idaho Legislature will receive my due consideration but not my support. The Legislature of Idaho has given no cause in the past to suspect its integrity or inability to perform its duties. I am not willing to indorse any action that would, directly or indirectly, indicate that it was not entitled to the confidence of the people.

"I can not conceive that the Legislature intended in adopting this resolution to confess its inability to honestly perform its constitutional duty in electing United States Senators, or that it intended to suggest that future Legislatures would not be as honest or competent.

"In my judgment it is not true that the people of Idaho desire any such change in the Constitution upon a fair and intelligent consideration of the question."

Therefore, be it resolved, That this House of Representatives does hereby request Secretary of State Gifford to forward said letter when it is received, to the Clerk of the House, that the same may be read and considered by the members of this body.

Motion of Galloway seconded by Morgan.

The Speaker called for a vote on the motion, and ruled the "ayes" seem to have it.

A rising vote was called for.

Moved by Nihart and seconded that House adjourn until 9 a. m. Monday, January 30, 1911.

Motion carried.

House adjourned.

CHAS. D. STOREY,

Speaker.

JAMES H. WALLIS,

Chief Clerk.

MONDAY, TWENTY-NINTH DAY, JANUARY 30, 1911.

Morning Session.

Hall of House of Representatives,

Boise, Idaho, January 30, 1911.

House met pursuant to adjournment. Mr. Speaker in the chair.

Prayer was offered by the Chaplain.

Roll call showed all members present except Wilson, Leaf, Kerby and Hammer excused on joint north and south committees, and Hutton and Jensen and Berry excused.

Journal for the twenty-sixth day was read.

The Committee on Journal submitted the following report:

Mr. Speaker:

The Committee on Journal reports herewith that they have had under consideration the Journal for the twenty-sixth day and have corrected the same and move that the Journal for that day be approved.

WARNICK,
Chairman.

Report accepted and Journal for twenty-sixth day approved.

Unfinished Business.

Morgan moved that the vote on Friday last by which the Galloway motion, regarding letter of Senator Heyburn, which seemed to have been adopted, be reconsidered at this time. Seconded by Galloway.

Motion carried.

The question on the adoption of the motion by Galloway was then voted on.

Motion lost.

Reports of Standing Committees.

The Committee on Printing submitted the following report:

Mr. Speaker:

Your Committee on Printing herewith report that we have had correctly printed and distributed the following:

House Bills Nos. 116, 122, 123, 121, 128, 146, 147, 151, 153, 154, 158, 159, 142; amendments to House Bills Nos. 39, 40 and 56. House Joint Resolutions Nos. 9 and 10.

The following have been read by copy, corrected and sent to the printer:

House Bills Nos. 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188 and 189.

JONES,
Chairman.

Report accepted.

The Committee on Appropriations submitted the following report:

Mr. Speaker:

The Committee on Appropriations having had under consideration House Bill No. 70 hereby makes its report as follows:

That the bill do not pass.

Also having had under consideration House Bill No. 107 hereby makes its report as follows:

That Section 11 of said bill being the emergency clause thereof be stricken out, and that as so amended the bill do pass

BELL,
Chairman.

Report adopted.

Committee on Judiciary submitted the following report:

Mr. Speaker:

The Judiciary Committee, having had under consideration House Bill No. 63, by McCabe, recommend the following amendments: Strike out all of line 4 after the word "marriage, and the first word of line 5; after the word "husband," in line 6, insert the following: "Provided, That all real and personal estate, or the rents, issues or profits thereof, to which she becomes entitled in her own right after marriage, shall be liable for execution against her husband in so far only as the same may apply to debts contracted after marriage with any person, firm, or corporation, a resident of the State of Idaho, to the amount of two hundred dollars (\$200) for the necessities of life." Also strike out all of lines 7, 8 and 9. And recommend that the bill do pass as amended.

Also House Bill No. 62, by McCabe, recommend that it do pass.

Also House Bill No. 98, by Glennon, recommend that it be amended as follows: Insert the word "original" in line 28, between the words "the" and "decree," and strike out the word "as" after the word "decree." In Line 29, after the word "to" insert the following: "Provided, That the right thus established shall not be deemed res adjudicata but prima facie merely and may be attacked by suit brought in a court of competent jurisdiction at any time by any person deeming himself aggrieved thereby." Strike out all of line 40 after the word "served" and insert the following: "As in other civil cases" And that said bill do pass as amended.

FEATHERSTONE,

Chairman.

Report adopted. House Bill No. 62 ordered to the Engrossing Committee to be engrossed.

The Committee on Engrossed and Enrolled Bills submitted the following report:

Mr. Speaker:

We, your Committee on Engrossed and Enrolled Bills, report House Bills Nos. 142, 99 and 3 correctly engrossed.

GLENNON,

Chairman.

Report accepted and House Bills Nos. 142, 99 and 3 filed for third reading.

The Committee on State Affairs submitted the following report:

Mr. Speaker:

We, your Committee on State Affairs, visited the office of the Attorney General on Friday, the 27th instant, and find that the rapidly increasing business of the State in this office demands the entire attention of the Attorney General and his two assistants.

In accordance with the suggestion offered by His Excellency, Governor James H. Hawley, we recommend that the Attorney General select a competent attorney, whose special duty it shall be to assist the members of the Legislature in preparing their bills for introduction. Such a plan will prove an economy in printing, and also in the time of your Standing Committees, whose duty it is to pass on such bills.

A sum sufficient for the payment of the attorney above suggested should be added to the regular expense account of the Attorney General's office by the Appropriation Committee, and if this report is adopted, we further recommend that it be by you transmitted to said committee.

Respectfully submitted,

JOHNSTON,

Chairman.

Report adopted and referred to Committee on Appropriations.

The Committee on Roads, Bridges and Ferries submitted the following report:

Mr. Speaker:

We, your Committee on Roads, Bridges and Ferries, having had under consideration House Bills Nos. 150, 160, 165 and 169, hereby report the same and recommend that each of said bills do pass.

We also return House Bill No. 161, substitute for House Bill No. 23, by Morgan, and recommend that the same do pass.

Also having had under consideration House Bill No. 41, report the same with the following amendments: That the words and figures, "In the sum of twenty thousand dollars (\$20,000)," be inserted between the words "bonds" and "to defray" in the title of said Act; that the words and figures "Thirty thousand dollars (\$30,000)" be stricken from line 5 of Section 1 and the words and figures "Twenty thousand

dollars (\$20,000)" be substituted therefor; that the words and figures "thirty (30)," in line 2 of Section 6, be stricken out and the words and figures "twenty (20)" be substituted therefor; that the words and figures "four and a half (4 1-2) per cent," in line 5 of Section 6, be stricken out and the words and figures "four (4)" be substituted therefor; that the words and figures "forty (40)," in line 6 of Section 7, be stricken out and the words and figures "twenty (20)" be substituted therefor; that the words "two-fifths," in line 3 of Section 8, be stricken out and the word "four-fifths" be substituted therefor; that the emergency clause be stricken out. And recommend that said bill as amended do pass.

GLENNON,
Chairman.

Report adopted and House Bills Nos. 150, 160, 165, 169 and 161 referred to the Engrossing Committee and ordered engrossed.

The Committee on Live Stock submitted the following report:

Mr. Speaker.

We, your Committee on Live Stock, have had under consideration House Bill No. 38 and recommend that it do not pass. Also House Bill No. 90 and recommend that it do not pass.

We further report that we have had under consideration House Bill No. 94 and recommend that same be amended as follows:

That the title be amended to read as follows:

An Act to amend Chapter 13 of Title 8 of the Political Code.

That in line 13 add the figures 1299; that in line 15 add the figures 1299; in line 20 add the figures 1299, in line 25 add the figures 1299, in line 31 add the figures 1299; in line 45 add the figures 1299; in line 50 add the figures 1299; in line 55 add the figures 1299; in line 61 add the figures 1299; in line 67 add the figures 1299; in line 72 add the figures 1299. After the word "animals," in line 69, add "and the cost of feeding the same as provided herein." And we recommend that the bill do pass when amended as above. In line 6 change the word "June" to "May."

ARTHUR,
Chairman.

Report adopted.

The Committee on Banks and Banking submitted the following report:

Mr. Speaker.

We, your Committee on Banks and Banking, respectfully report that we have had under consideration House Bill No. 71 and recommend that it do pass.

McCABE,
Chairman.

Report adopted, and House Bill No. 71 referred to Committee on Engrossed and Enrolled Bills

The Committee on Water and Drainage submitted the following report:

Mr. Speaker:

We, your Committee on Water and Drainage, respectfully report that we have had under consideration House Bill No. 104 and recommend that it be amended by striking out the emergency clause, and then when so amended the bill do pass.

THOMPSON,
Chairman.

Report adopted

The Committee on Education submitted the following report:

Mr. Speaker:

We, your Committee on Education, respectfully report that we have

had under consideration House Bill No. 86, and recommend that same be amended as follows:

In the second line of the title, after the word "all," insert the word "saloon."

In line 9, after the word "licenses," insert the words "except saloon licenses"

In line 10, strike out the word "general" and strike out the word "county" and write in place of the word "county" "school district."

After line 12 add "provided that 50 per cent of all licenses shall be applied to and constitute a part of the general school fund of the county."

In line 13, after the word "Provided," add the word "further."

In line 14, after the word "charters," add the words "except saloon licenses."

In line 18 strike out the word "general" and the word "county" and insert instead of "county" the words "school district."

And that said bill do pass as amended.

WARNICK,
Chairman.

Report adopted.

Introduction of House Bills, Concurrent Resolutions and Joint Memorials.

The following House Bills were introduced:

H. B. NO. 190, BY FRIEND.

An Act to provide a per diem compensation and expenses for members of the State Board of Medical Examiners and a salary and expenses for the secretary thereof; and making an appropriation therefor; and amending Section 1344 of the Idaho Revised Codes.

H. B. NO. 191, BY FRIEND AND STEPHENS.

An Act to amend Section 9 of an Act entitled, "An Act creating the Historical Society of the State of Idaho; providing for the acquisition of property by it and the care and exhibition thereof; creating a board of trustees and librarian for the management thereof; and defining the duties and compensation of such officers; and making an appropriation."

H. B. No. 192, BY SORENSON.

An Act to amend Sections 2629, 2633 and 2634 of the Civil Code of the State of Idaho, relating to the solemnization of marriage.

H. B. NO. 193, BY COMMITTEE ON IRRIGATION.

An Act prescribing the compensation to be received by directors of irrigation districts and prohibiting such directors from receiving any other salary, compensation or emolument from his district; and amending Section 2389 of the Idaho Revised Codes.

H. B. NO. 194, BY TERRELL.

An Act amending Section 7902 of the Penal Code of Idaho, relating to the things that may be taken into a jury room by a jury, upon retiring for deliberation; and declaring an emergency.

H. B. No 195, BY TAYLOR.

An Act creating a game preserve within the Counties of Cassia, Twin Falls, Oneida, Bear Lake, Owyhee and Lincoln; and providing penalties for the pursuing, capturing and killing of game animals within the aforesaid counties.

H. B. NO. 196, BY BELL.

An Act authorizing a tax levy of three-fourths (3-4) of a mill on

the dollar, per annum, for university purposes; directing the including of the amount thereof in the general appropriation bill, and authorizing a similar levy and appropriation until this act is repealed; and requiring the Governor's approval of certain expenditures

H. B. NO. 197, BY BALDRIDGE.

An Act to amend Section 9 of an Act entitled, "An Act for providing for the protection of orphan, homeless, abused or neglected children, and conferring powers upon Judges of Probate, the County Commissioners and Charitable Societies duly organized and existing under Section 3011 of the Revised Codes of the State of Idaho, to receive the same," approved March 6, 1909.

H. B. NO. 198, BY BALDRIDGE.

An Act appropriating three thousand forty-nine dollars and eight cents (\$3,409.08), the same being thirty-five cents (35c) per acre for eight thousand seven hundred forty and twenty-eight hundredths (8,740.28) of State lands within the Black Canyon Irrigation District, Canyon County, Idaho, out of the Carey Act trust fund; and authorizing the State Board of Land Commissioners to expend the same toward paying the expenses of making the surveys, maps, etc., as required by Section 2396, Revised Codes of Idaho, preliminary to the calling of a bond election; to authorize the issuing of bonds on lands within the boundaries of the Black Canyon Irrigation District, and providing for the repayment of same.

H. J. M. NO. 4, BY NIHART.

To the Honorable, the Senate and House of Representatives of the United States, in Congress Assembled:

Memorializing Congress for the establishment of a permanent institute, centrally located in the irrigation belt, for instruction in the subject of irrigation and allied subjects.

Unanimous consent was given to return to the Ninth Order of Business.

Nihart moved that all rules of the House interfering with the immediate passage of this memorial be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency, and that House Joint Memorial No. 4 be read the first and second times by title and the third time at length, section by section, and be put upon its final passage.

Seconded by Bradley.

The question being on the suspension of the rules, the roll was called with the following result:

Ayes—Allred, Arthur, Baldridge, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Elmers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hellekson, Hendricks, Hill, Holmberg, Hyde, Jacobs, Jayne, Johnson, Jones, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Wood, Mr. Speaker.

Nays—None.

Total number of votes 51. Ayes, 51. Nays, none. Absent, not voting, 8.

And so the rules were suspended.

The question being "Shall the Memorial pass?" the roll was called with the following result:

Ayes—Allred, Arthur, Baldridge, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Elmers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hellekson, Hendricks, Hill, Holmberg, Hyde, Jacobs, Jayne, Johnson, Jones, Mor-

gan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Wood, Mr. Speaker.

Nays—Warnick.

Total number of votes, 50. Ayes, 49. Nays, 1. Absent, not voting, 9.

And so the memorial passed and House Joint Memorial No. 4 was ordered transmitted to the Senate.

Message From the Senate.

The following message was received from the Senate:

Mr. Speaker:

I have the honor to transmit herewith Senate Bill No. 10, by Kerns, which has passed the Senate.

CHARLES J. LISLE,
Assistant Secretary of Senate.

First Reading of House Bills, Concurrent Resolutions and Joint Memorials.

The following House Bills were read first time in full:

- H. B. No. 190, by Friend.
- H. B. No. 191, by Friend and Stephens.
- H. B. No. 192, by Sorenson.
- H. B. No. 193, by Committee on Irrigation.
- H. B. No. 194, by Terrell.
- H. B. No. 195, by Taylor.
- H. B. No. 196, by Bell.
- H. B. No. 197, by Baldrige.
- H. B. No. 198, by Baldrige.

Second Reading and Reference of House Bills, Concurrent Resolutions and Joint Memorials.

The following House Bills were read the second time in full:

- H. B. No. 176, by Allred.
- H. B. No. 177, by Morgan.
- H. B. No. 178, by Nihart (by request).
- H. B. No. 179, by State Affairs Committee.
- H. B. No. 180, by Oakes.
- H. B. No. 181, by Oakes.
- H. B. No. 182, by Terrell.
- H. B. No. 183, by Morgan.
- H. B. No. 184, by Warnick.
- H. B. No. 185, by Committee on Public Health.
- H. B. No. 186, by Committee on Public Health.
- H. B. No. 187, by Committee on Public Health.
- H. B. No. 188, by Committee on Public Health.
- H. B. No. 189, by Hellekson.

Second Reading of Printed Amendments to House Bills.

Amendments to House Bill No. 4 were read second time in full.

Third Reading of House Bills, Concurrent Resolutions and Joint Memorials and Final Action Thereon.

House Bill No. 142 read a third time at length, section by section, for final passage.

Moved by Morgan and seconded by Walker that House Bill No. 142 be referred to the Committee on Judiciary for its opinion as to the correctness of the bill.

Davis moved as a substitute for all pending motions that House Bill No. 142 be recommitted to the Committee on Public Health and

that they report bill in its correct form with any amendments that have been made. Seconded by Bradley.

Motion carried.

House Bill No 99 read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" the roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Black, Bower, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Elmers, Farmin, Featherstone, Friend, Galloway, Gibson, Hellekson, Hendricks, Hill, Holmberg, Hyde, Jacobs, Jayne, Johnson, Johnston, Jones, Morgan, McCabe, Nelson, Nielson, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 50 Ayes, 50. Nays, none. Absent and not voting, 9.

And so the bill passed, title was approved, and House Bill No. 99 ordered transmitted to the Senate.

House Bill No. 3 read third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Elmers, Farmin, Featherstone, Friend, Galloway, Gibson, Hellekson, Hendricks, Hill, Holmberg, Hyde, Jacobs, Jayne, Johnson, Johnston, Jones, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sagnhorn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wood, Mr. Speaker.

Nays—None.

Total number of vote, 51. Ayes, 51. Nays, none. Absent and not voting, 8.

And so the bill passed, title was approved and House Bill No. 3 ordered transmitted to the Senate.

Unanimous consent was given to return to the Ninth Order of Business.

Morgan moved that on next Thursday evening, the use of the Hall of the House of Representatives be extended to certain citizens of Idaho who desire to discuss publicly with the Senators and members of the Eleventh Session of the Legislature, the subject of direct legislation.

Motion carried.

At the request of Galloway, the unanimous consent of the House was given the Joint Investigating Committee to extend the time for filing charges before said Committee to five days after the time limit stated in Joint Resolution as passed by the House and Senate.

Reference of Bills.

Speaker referred the following bills to their respective committees:

H. B. No. 176, Judiciary.

H. B. No. 177, Railroads, Carriers and Other Public Corporations.

H. B. No. 178, County Lines and Boundaries.

H. B. No. 179, Appropriations.

H. B. No. 180, Railroads, Carriers and Other Public Corporations.

H. B. No. 181, Charitable and Penal Institutions

H. B. No. 182, Judiciary.

H. B. No. 183, Private Corporations.

H. B. No. 184, Judiciary.

H. B. No. 185, Public Health.

H. B. No. 186, Public Health.

H. B. No. 187, Public Health.

H. B. No. 188, Public Health

H. B. No. 189, Judiciary

Unanimous consent was given to return to the Seventh Order of Business.

Report of Standing Committee.

The Committee on Engrossed and Enrolled Bills submitted the following report

Mr Speaker

We, your Committee on Engrossed and Enrolled Bills, report House Bills Nos. 50, 115, and 137 correctly engrossed and House Bill No. 46, which has been correctly enrolled

GLENNON,

Chairman

Report adopted and House Bills Nos. 50, 115 and 137 filed for third reading.

Third Reading of House Bills, Concurrent Resolutions and Joint Memorials and Final Action Thereon.

House Bill No. 50 read a third time at length, section by section, for final action.

Moved by Dunning and seconded by Morgan that House Bill No. 50 be referred to the Committee of the Whole for the purpose of amending same by inserting the words "householders" after the word "freeholders" in line 5, Section 642.

Motion carried.

House Bill No. 115 read a third time at length, section by section, for final passage.

The question being "Shall the bill pass?" the roll was called with the following result

Ayes—Allred, Arthur, Bell, Black, Bradford, Bradley, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hellekson, Hendricks, Hill, Holmberg, Hyde, Jacobs, Jayne, Johnson, Johnston, Jones, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wood, Mr. Speaker.

Nays—Sanborn.

Total number of votes, 49. Ayes, 48. Nays, 1. Absent and not voting, 10.

And so the bill passed, title was approved, and House Bill No. 115 was ordered transmitted to the Senate.

The Speaker announced he was about to sign House Bill No. 46, which had been correctly enrolled. House Bill No. 46 was thereupon signed by the Speaker.

Moved by Jones and seconded by Pincock that House adjourn until 9 o'clock Tuesday morning.

Motion carried.

House adjourned.

CHARLES D. STOREY,

Speaker.

JAMES H. WALLIS,

Chief Clerk.

TUESDAY, THIRTIETH DAY, JANUARY 31, 1911.

Morning Session.

Hall of the House of Representatives,

Boise, Idaho, January 31, 1911.

House met pursuant to adjournment. Mr. Speaker in the Chair.

Prayer was offered by the Chaplain.

Roll call showed all members present except Hanmer and Kerby excused on joint north committee, and Hutton excused.

The Journal for the twenty-ninth day was read.

The Journal Committee submitted the following report:

Mr. Speaker.

We, your Committee on Journal, herewith report that we have had under consideration the Journal for the twenty-ninth day and have corrected the same, and move that the Journal for that day be approved.

WARNICK,

Chairman.

On motion report was accepted and Journal for twenty-ninth day was approved.

Reports of Standing Committees.

The Committee on Public Health submitted the following report:

Mr. Speaker:

We, your Committee on Public Health, having had under consideration House Bill No 142, recommitted to us hereby render our report as follows.

We recommend that in line 9, Section 3, the words and figures "four dollars (\$4)" be stricken out and in place thereof be substituted the words and figures "five dollars (\$5)."

And that as so amended the bill do pass.

CROW,

Chairman.

Report adopted.

The Committee on Printing submitted the following report:

Mr. Speaker

Your Committee on Printing herewith report that we have had correctly printed and distributed the following bills:

House Bills Nos. 132, 143, 150, 157, 160, 161, 163, 166, 180, 183. Amendments to House Bills Nos. 2, 27, 82. Amendments to Senate Bills Nos. 19 and 28. The following have been read by copy, corrected and sent to the printer House Bills Nos. 190, 191, 192, 193, 194, 195, 196, 197 and 198 House Joint Memorial No 4.

JONES,

Chairman.

Report accepted

The Committee on Cities, Towns and Other Municipal Corporations submitted the following report:

Mr. Speaker:

We, your Committee on Cities, Towns and Other Municipal Corporations, having had under consideration House Bill No. 74, by Galloway, recommend that in line 15, after the word "case," there should be inserted "either of said" and that the words "or either of them," including the two commas, which words and commas are between the words "buildings" and "shall" be stricken out.

We further recommend that after the words "state of Idaho," in line 16, the following words be inserted: "And, Provided, further, That said County of Washington must accept the said conveyance within three (3) years after date thereof."

Also having had under consideration House Bill No. 73, by Galloway, recommend that the same do pass.

BLACK,

Chairman.

Report adopted, and House Bill No. 73 referred to the Engrossing Committee and ordered engrossed.

The Committee on Appropriations submitted the following report:

Mr. Speaker:

The Committee on Appropriations having had under consideration House Bill No. 60 hereby renders its report as follows:

The said committee in considering the bill has advised with the Attorney General of Idaho, and received from him the information that substantially the amount claimed was just, and in addition the committee has considered the affidavits of Peat Parker, William Heathershaw, Charles Solomon and A. J. Kent, which affidavits, bound together in one document, are hereto attached and marked "Exhibit A." The committee also had as evidence before it a certified copy of the certificate of sale of timber hereto attached and marked "Exhibit B." In addition thereto the committee has conferred with the chief of the United States Forestry Department in Boise and with Mr. Ben E. Bush, State Land Appraiser, of the State of Idaho, and from the information received from all these parties the committee makes the following recommendation:

That the title of the said bill be amended by striking out the words and figures "twenty-six hundred eighty dollars (\$2680)" therein contained and substituting therefor the words and figures "two thousand dollars (\$2,000)."

That in Section 1 of said Act, in line one (1) thereof, the words and figures "two thousand dollars (\$2,000)" be substituted for the words and figures "twenty-six hundred eighty dollars (\$2,680)."

That in lines three and four of Section 2 of said Act, the words and figures "twenty-two hundred eighty dollars (\$2,280)" be stricken out and in place thereof be substituted the words and figures sixteen hundred dollars (\$1,600)."

That as so amended the bill do pass.

Also House Bill No. 122 and recommend that the same do pass.

Also Senate Bill No. 14 and recommend that the bill do pass.

Also Senate Bill No. 8 and recommend that the bill do pass.

BELL,
Chairman.

Report adopted, and House Bill No. 122 referred to the Engrossing Committee and ordered engrossed.

The Committee on Education submitted the following report:

Mr. Speaker:

We, your Committee on Education, having had House Bill No. 147 under consideration, recommend that it be amended as follows:

In line 16, Section 2, after the word "credits," these words be written, "Or debits and obligations, if there be such."

We recommend further that the emergency clause be stricken out.

WARNICK,
Chairman.

Report adopted.

The Committee on Irrigation, Reservoirs and Reclamation submitted the following report:

Mr. Speaker:

We, your Committee on Irrigation, Reservoirs and Reclamation, beg leave to report that we have had under consideration House Bill No. 66, by Nihart, and recommend that same do not pass.

Also House Bill No. 162, and recommend that same do pass.
do pass.

Also House Bill No. 159, and recommend that same do pass.
do pass.

NIHART,
Chairman.

Report adopted, and House Bills Nos. 162 and 159 referred to the Committee on Engrossed Bills and ordered engrossed.

The Committee on State Affairs submitted the following report:

Mr. Speaker:

We, your Committee on State Affairs, respectfully report that we have had under consideration House Bill No. 124, by Eckles, and recommend that it do pass.

Also House Bill No. 10, by Sanborn, and recommend that it do not pass

JOHNSTON,
Chairman.

Report adopted and House Bill No. 124 referred to the Committee on Engrossed and Enrolled Bills and ordered engrossed.

Introduction of Bills, Concurrent Resolutions and Joint Memorials,

The following House Bills were introduced:

H. B. NO. 199, BY BLACK.

An Act to amend Section 4310c of the Code of Civil Procedure, revised Codes of Idaho.

H. B. NO. 200, BY BLACK.

An Act to amend Section 4141 of the Code of Civil Procedure, Revised Codes of Idaho.

H. B. NO. 201, BY CEASER (BY REQUEST).

An Act providing for the issuance and sale of State bonds in the sum of ten thousand dollars (\$10,000) and appropriating the proceeds thereof for the construction of a wagon road between a point at or near where the Roosevelt wagon road crosses Johnson Creek; down Johnson Creek to Yellow Pine Basin; thence up to the East Fork of the South Fork of Salmon River to Profile Creek; thence up Profile Creek to a point near the head of Profile Creek, known as Sam Willson's, or "Profile Sam's" camp, all within the County of Idaho; authorizing the levy of an ad valorem tax to provide a sinking fund for the payment of such bonds at maturity and the accruing interest thereon; providing for a commission which shall have general control of the construction of said wagon road and of the disbursements of this appropriation, and prescribing their powers and duties as such; and providing when and how this appropriation shall be expended and disbursed

H. B. NO. 202, BY HILL.

An Act to amend an Act to amend Section 2177 of the Revised Codes of Idaho relating to the classification of counties, for the purpose of fixing the salaries of County Commissioners, passed by the Tenth Session of the Idaho Legislature, approved March 13, 1909.

Message From the Senate.

The following message was received from the Senate:

Mr. Speaker:

I have the honor to transmit herewith House Joint Memorial No. 4, which has been adopted by the Senate.

Also Senate Concurrent Resolution No. 4, by Gooding, which has been adopted by the Senate.

Also Senate Bill No. 25, by Whitcomb, which has passed the Senate.

Also House Bill No. 97, by Morgan, which has passed the Senate

CHARLES J. LISLE,

Assistant Secretary of Senate.

Message filed and House Joint Memorial No. 4 and House Bill No. 97 ordered enrolled.

First Reading of House Bills, Concurrent Resolutions and Joint Memorials.

The following House Bills were read first time in full:

- H. B. No. 199, by Black.
- H. B. No. 200, by Black.
- H. B. No. 201, by Ceaser.
- H. B. No. 202, by Hill.

First Reading of Printed Amendments to House Bills.

Printed amendments to the following House Bills were read first time in full:

- House Bill No. 39.
- House Bill No. 56.
- House Bill No. 40.
- House Bill No. 27.
- House Bill No. 82.
- House Bill No. 19.
- House Bill No. 28.
- House Bill No. 109.

Second Reading and Reference of House Bills, Concurrent Resolutions and Joint Memorials.

The following House Bills were read second time in full:

- H. B. No. 190, by Friend.
- H. B. No. 191, by Friend and Stephens.
- H. B. No. 192, by Sorenson.
- H. B. No. 193, by Committee on Irrigation.
- H. B. No. 194, by Terrell.
- H. B. No. 195, by Taylor.
- H. B. No. 196, by Bell.
- H. B. No. 197, by Baldrige.
- H. B. No. 198, by Baldrige.

Unanimous consent was given to return to the Twelfth Order of Business.

Message From the Senate.

The following message was received from the Senate:

Mr. Speaker:

I have the honor to transmit herewith Senate Bill No. 16, by St. Clair, which has passed the Senate.

CHAS. J. LISLE,
Assistant Secretary of Senate.

Third Reading of House Bills, Joint Resolutions and Memorials and Final Action Thereon.

House Bill No. 123 read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" the roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Elmers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hellekson, Hendricks, Hill, Holmberg, Hyde, Jacobs, Jayne, Jensen, Johnson, Jones, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 54. Ayes, 54. Nays, none. Absent, not voting, 5.

And so the bill passed, title was approved, and House Bill No. 123 was ordered transmitted to the Senate.

House Bill No. 137 read a third time at length, section by section, for final action

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Baldridge, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hellekson, Hendricks, Hill, Holmberg, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Smith, Sorenson, Stephens, Strode, Terrell, Taylor, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker

Nays—None.

Total number of vote, 55. Ayes, 55. Nays none. Absent and not voting, 4.

And so the bill passed, titled was approved, and House Bill No. 137 ordered transmitted to the Senate.

First Reading of Senate Bills, Concurrent Resolutions and Joint Memorials.

The following Senate Bills were read first time in full:

S. B. No. 16, by St. Clair.

S. B. No. 25, by Whitcomb.

And printed amendments to Senate Bills Nos. 19 and 28.

The following Senate Concurrent Resolution was read in full the first time:

S. C. R. NO. 4, BY GOODING.

Be it resolved by the Senate, the House concurring, That an extension of five (5) days' time be allowed for filing charges before the Joint Investigating Committee, appointed under the provisions of House Concurrent Resolution No. 2.

Moved by Morgan and seconded by Jones that S. C. R. No. 4 be adopted

Motion prevailed and S. C. R. No. 4 was adopted and ordered transmitted to the Senate.

Second Reading and Reference of Senate Bills, Concurrent Resolutions and Joint Memorials.

The following Senate Bills were read second time in full:

S. B. No. 10, by Kerns

House In Committee of the Whole.

House resolved itself into Committee of the Whole for the consideration of the General Calendar. Black in the Chair.

House In Regular Session.

The Committee of the Whole submitted the following report:
Mr. Speaker:

The Committee of the Whole has had under consideration House Bill No. 68, together with the amendments offered by the Committee on Public Health, make the following recommendations:

That the words, "and declaring an emergency," be stricken from the title.

That between the word "designated" and the word "and" in line 25 of Section 4, the following be inserted.

"Provided, That if no suitable person can be obtained to act as a local registrar, or if the State Board of Health may desire for any reason whatever more local registrars, the said Board of Health, or the State Registrar, may appoint any Justice of the Peace of the State as a local registrar, and when so appointed and notified of said

appointment, it shall be the duty of the said Justice of the Peace so appointed to perform all the duties of a local or sub-registrar."

That in Subdivision 6 of Section 14 the words "except for illegitimate children" be stricken out.

That Section 28, being the emergency clause of the bill, be stricken out.

And that as so amended the bill do pass.

Also House Bill No. 125, together with amendments by Davis of Oneida be referred to the Committee on Privileges and Elections.

Also House Bill No. 131 and recommend that it do pass.

Also House Bill No. 141 and recommend that Section 3 be stricken out. And that Section 6 be amended to read, after the words "State Board of Health," the following words: "Or shall otherwise provide for the sale, and in no case shall the price of these cups exceed the sum of five (5) cents."

And that as so amended the bill do pass.

That H. B. No. 41, as amended by the Committee on Roads, Bridges and Ferries, do pass as amended.

That House Bill No. 50 be amended as follows: In line 5, Section 642, after the word "freeholders," insert the word "householders." In line 5, after the word, "wives," and before the word "the," insert the words, "of qualified electors of the State of Idaho."

And that as so amended the bill do pass.

That House Bill No. 63 be laid over until the return of the author, and that it retain its place on the calendar.

That House Bill No. 86 be referred to Committee on Education.

Also House Bill No. 94, and recommend it be amended as follows:

In line 10 insert the word "nearest" after the word "the" and before the word "constable."

Change the first word in line 33 to "the," and strike out the words "to be" between the word "county" and the word "designated."

In line 34 insert the word "official" between the word "the" and the word "newspaper" and strike out the words "to publish estray notices."

In paragraph 1, line 62, change the word "advertising" to "advertised."

That the title be amended to read as follows: An Act to amend Chapter 13 of Title 8 of the Political Code.

That in line 13 add the figures 1299.

That in line 15 add the figures 1299.

In line 20 add the figures 1299.

In line 25 add the figures 1299.

In line 31 add the figures 1299.

In line 45 add the figures 1299.

In line 50 add the figures 1299.

In line 55 add the figures 1299.

In line 61 add the figures 1299.

In line 67 add the figures 1299.

In line 72 add the figures 1299.

After the word "animals," in line 69, add "and the cost of feeding the same as provided herein."

In line 6 change the word "June" to "May."

And we recommend that the bill do pass when amended as above.

BLACK,
Chairman.

Moved by Black and seconded by Glennon that the report of the Committee of the Whole be adopted.

Motion carried.

Report adopted.

Unanimous consent was given to return to the Seventh Order of Business.

Reports of Standing Committees.

The Committee on Engrossed and Enrolled Bills submitted the following report:

Mr. Speaker:

We, your Committee on Engrossed and Enrolled Bills, beg leave to report House Bills Nos. 150, 161, 169, 62 and 4 correctly engrossed.

GLENNON,

Chairman.

Report adopted, and House Bills Nos. 150, 161, 169, 62 and 4 ordered filed for third reading

Reference of Bills.

The Speaker referred the following bills to their respective committees:

H. B. No 190, Medicine, Surgery and Pharmacy.

H. B. NO. 191, State Affairs.

H. B. No. 192, Judiciary.

H. B. No. 193, Irrigation, Reservoirs and Reclamation.

H. B. No. 194, Judiciary.

H. B. No. 195, Fish and Game.

H. B. No. 196, State Affairs

H. B. NO. 197, State Affairs.

H. B. No 198, State Affairs

Moved by Farmin that House Bills Nos. 165 and 169 be referred to the Committee on Appropriations.

Seconded by Pincock.

Motion carried, and bills Nos 165 and 169 referred to Committee on Appropriations.

The following communication was received from the President of the Children's Home Finding and Aid Society:

Boise, Idaho, January 31, 1911.

Speaker House of Representatives

The members of the Board of Directors of the Children's Home Finding and Aid Society have arranged to give a reception to the State officials and the members of the Senate and House on Friday evening, February 3rd, at 8:30 p. m. It is our earnest wish that each and every member of the Senate and House and State officials, with their ladies, shall be present with us on that evening, and we wish at this time to extend to you one and all a most cordial invitation to be present.

Yours very truly,

JAMES H. BRADY,

President Children's Home Finding and Aid Society.

Invitation accepted

On motion by Davis, House adjourned until 9 a. m. Wednesday.

CHARLES D. STOREY,

Speaker.

JAMES H. WALLIS,

Chief Clerk.

WEDNESDAY, THIRTY-FIRST DAY, FEBRUARY 1, 1911.

Morning Session.

Hall of the House of Representatives,
Boise, Idaho, February 1, 1911.

House met pursuant to adjournment. Mr. Speaker in the Chair.

Prayer was offered by the Chaplain.

Roll call showed all members present except Hanmer and Kerby excused on north joint committee and Hutton excused.

Journal for the thirtieth day was read.

The Committee on Journal submitted the following report:

Mr. Speaker:

We, your Committee on Journal, beg leave to report that we have had under consideration the Journal for the thirtieth day and have corrected the same, and move that the Journal for that day be approved.

WARNICK,
Chairman.

On motion Journal for the thirtieth day was approved.

Reports of Standing Committees.

The Committee on Revenue and Taxation submitted the following report:

Majority Report.

Mr. Speaker:

We, your Committee on Taxation and Revenue, having had under consideration House Bill No. 108, by Farmin, hereby report in favor of the following amendments:

In lines 6 and 7, Section 1, strike out the words "be for a term of two years (2)" and the words "continue and be in force until the second Monday of January, 1913," be substituted therefor.

Strike out Article 12 of Section 5 and so change numbers of succeeding articles in said Section 5 to conform therewith.

Insert between the words "commissioner" and "such" in line 77 of Article 13, Section 5, "and the State Board of Equalization."

In lines 114 and 115 of Article 19, Section 5, the words "of the value of the gross products of all mines within this State" be stricken out.

In line 122, Article 20, Section 5, the word "their" be substituted for the word "his" and in line 124 of the same article and section the word "their" be substituted for the word "the" before the word "judgment," and the words "of the tax commissioner" be stricken out.

In line 14, Section 6, the words "be required to" be inserted between the words "may" and "testify."

That a section to be known as Section 10 be inserted between Sections 9 and 10 which shall read as follows:

"Section 10. All powers herein granted to the tax commissioner shall at all times be under the general supervision and control of the State Board of Equalization."

That Section 10 of this bill be changed to Section 11.

The majority report of the committee is that the bill do pass as amended.

FARMIN,
BLACK,
BURRELL,
NIELSEN.

Minority Report Committee on Taxation and Revenue.

We, the undersigned members of the Committee on Revenue and Taxation, beg leave to submit the following minority report on House Bill No. 108, and recommend that it do not pass for the following reasons:

1. That in our opinion we believe said bill to be contrary to the provisions of Articles 7 and 18 of our State Constitution.

2. That it grants arbitrary and despotic powers to one individual in this: It aims to give a Tax Commissioner legislative, judicial and

executive powers and allows him to overrule the present constituted taxing officers of our State and counties, particularly the latter, as now provided for in the State Constitution and laws enacted in pursuance thereof.

3. That it affords too great an opportunity for graft by one individual in exercising the taxing power of the State.

4. That it attempts to provide too much work, and the duties sought to be put upon a Tax Commissioner are so great and multitudinous that it would be manifestly impossible for him to perform them satisfactorily and therefore the end sought could never be obtained by foisting such a system upon the State.

5. That the cost of maintaining this department of Tax Commissioner, if created, would amount to many thousands of dollars, with no beneficial results therefrom.

WOOD,
HILL,
DUNNING.

Reports accepted.

The Committee on Revenue and Taxation submitted the following report:

Mr. Speaker:

We, your Committee on Revenue and Taxation, having had under consideration House Joint Resolution No. 10, by Farmin, respectfully recommend that the same do pass.

FARMIN,
Chairman.

Report adopted and H. J. R. No. 10 ordered engrossed.

The Committee on Appropriations submitted the following report:

Mr. Speaker:

The Committee on Appropriations having had under consideration House Bill No. 169, by Elmera, recommends that the same do pass.

Also House Bill No. 95, by Morgan, and recommends that the same do pass.

Also Senate Bill No. 48, by Haight, and recommends that the same do pass.

Also House Bill No. 115, by Farmin, Sanborn and Jones, and recommends that the words and figures twenty thousand dollars (\$20,000) be substituted for the words and figures twenty-five thousand dollars (\$25,000) wherever in the title or the body of said bill the words and figures twenty-five thousand dollars (\$25,000) appear, and that as so amended the bill do pass.

Also House Bill No. 51, by Glennon, and recommends that in line 10 of Section 2, the words "the sum of five dollars per day and" be stricken out, and that as so amended the bill do pass.

BELL,
Chairman.

Report adopted and House Bills Nos. 169 and 95 referred to Engrossing Committee and ordered engrossed. Senate Bill No. 48 filed for third reading.

The Committee on Printing submitted the following report:

Mr. Speaker:

Your Committee on Printing herewith report that we have had correctly printed and distributed the following:

House Bills Nos. 130, 162, 164, 167, 168, 170, 172, 173, 174, 175, 176, 177, 184, 185, 186 and 196. Amendments to House Bills Nos. 27 and 109. House Joint Resolution No. 11.

The following have been read by copy, corrected and sent to the printer:

House Bills Nos 199, 200, 201, 202.

JONES,
Chairman.

Report accepted.

The Committee on Roads, Bridges and Ferries submitted the following report:

Mr. Speaker:

We, your Committee on Roads, Bridges and Ferries, submit the following report:

We amend Senate Bill No. 27, by Williams, by striking out the words "twenty thousand dollars" in the title of said Act and substituting the words "fourteen thousand dollars" therefore, and that the words and figures "twenty thousand dollars (\$20,000) be stricken out of line 5, Section 1, and the words and figures "fourteen thousand dollars (\$14,000)" substituted therefor.

That the word "the" at the end of line 9, Section 2, be stricken out, and that the words and figures "sum of five dollars (\$5.00) per day" be stricken out of line 10 of Section 2 and that the words "per diem" be stricken out of line 2, Section 6.

And recommend that said bill, as amended, do pass.

Also recommend that House Bill No. 157, by Black, Thompson, Leaf and Nelson be amended as follows:

In line 10, Section 2, the words "for their services as," be stricken out and in line 11, Section 2, strike out the word "they" and also the words "the sum of five dollars per day, and."

And that as so amended the bill do pass.

GLENNON,

Chairman.

Report adopted and House Bill No. 157 referred to the Committee on Appropriations.

The Committee on Agriculture submitted the following report:

Mr. Speaker:

We, your Committee on Agriculture, respectfully report that we have had, under consideration House Bill No. 143 and recommend that it do pass.

SMITH,

Chairman.

Report adopted and House Bill No. 143 referred to the Engrossing Committee and ordered engrossed.

The Committee on Railroads, Carriers and Other Corporations submitted the following report:

Mr. Speaker:

We, your Committee on Railroads, Carriers and Other Public Corporations, respectfully report that we have had under consideration House Bill No. 175 and report same back to the House without recommendation that it may be withdrawn.

Also House Bill No. 139, by Featherstone, and report the same back with the recommendation that it do pass.

Also House Bill No. 72, by Glennon, and report the same back with the recommendation that it be amended as follows:

In line 3, Section 1, insert the words "or others" after the word "system" and before the word "within," also that it be amended by adding the following at the end of Section 1, "Provided, That nothing herein is intended to require said telegraph companies or any one operating or controlling any telegraph system or office within this State to build a telephone line, it being intended to require such company to install a telephone in each of its offices where such telephone can be obtained by them, as it may be obtained by other business offices in the same vicinity."

And that as amended the bill do pass.

DAVIS,

Chairman.

Report adopted and House Bill No. 139 ordered engrossed.

The Committee on Privileges and Elections submitted the following report:

Mr. Speaker:

We, your Committee on Privileges and Elections, respectfully report that we have had under consideration House Bill No. 125 and recommend substitute bill.

BRADLEY,
Chairman.

Report adopted.

The Committee on Judiciary submitted the following report:

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration House Bill No. 164, by Jayne and Dunning, return the same to the House with the recommendation that it be referred to the Committee on Revenue and Taxation.

Also House Bill No. 184, by Warnick, return the same with the recommendation that it do pass.

Also House Bill No. 182, by Terrell, return the same to the House with the recommendation that it do pass.

Also House Bill No. 176, by Allred, return the same to the House with the recommendation that it do not pass.

Also House Bill No. 158, return the same to the House with the recommendation that it do pass.

Also House Bill No. 136, by Morgan, return the same with the recommendation that it do pass.

Also House Bill No. 117, by Crow, return the same with the recommendation that it do pass.

Also House Joint Resolution No. 9, by Jayne and Dunning, return the same with the recommendation that it be referred to the Committee on Revenue and Taxation.

A. H. FEATHERSTONE,
Chairman.

Report adopted and House Bills Nos. 184, 182, 158, 136 and 117 referred to the Engrossing Committee and ordered engrossed.

Unanimous consent was given to Warnick to withdraw House Bill No. 175. Also to Smith to withdraw House Bills Nos. 140 and 37.

Oakes moved that the invitation of Governor Brady to attend a reception to be given by the members of the Board of Directors of the Children's Home Finding and Aid Society to the State officials and the members of the Senate and House on Friday evening be accepted. Seconded by Friend.

Motion carried and invitation accepted.

Introduction of Bills, Concurrent Resolutions and Joint Memorials.

The following bills were introduced:

H. B. NO. 203 (SUBSTITUTE FOR H. B. NO. 125), BY DAVIS.

An Act compelling the removal of signs and all other advertising matter which serve to advertise the saloon business, from buildings which have been used for saloon purposes and which are located within territory in which the sale of intoxicating liquor as a beverage is now or shall hereafter be prohibited by law; and providing penalties for the violation thereof.

H. B. NO. 204. BY SMITH (BY REQUEST).

An Act to provide for and regulate the examination and registration of graduate nurses.

H. B. NO. 205, BY FARMIN, JONES AND SANBORN.

An Act authorizing County Commissioners to enter into contracts in

behalf of counties where such contracts are not in excess of five thousand dollars (\$5,000).

H. B. NO. 206, BY DAVIS.

An Act to amend Section 170 of Chapter 11 of Title 2 of the Revised Codes of the State of Idaho, relating to Insurance Commissioner as State Examiner.

H. B. NO. 207, BY CROW, DAVIS, BLACK, FEATHERSTONE, GALLOWAY, GLENNON, TERRELL, HILL, EDGINGTON, BRADFORD AND MORGAN.

An Act relating to and authorizing the preparation of a reporter's transcript of proceedings of the trial of an action or special proceeding, in lieu of a bill of exceptions; adding a new section, to be known as Section 4434 to Part 2, Title 8, Chapter 7 of the Code of Civil Procedure of the Revised Codes of Idaho.

H. B. NO. 208, BY GLENNON, GALLOWAY, MORGAN, BLACK, DAVIS, FEATHERSTONE, TERRELL, HILL, EDGINGTON, BRADFORD AND CROW.

An Act relating to pleadings in civil cases and providing when and how the objection shall be raised that the complaint or answer does not state facts sufficient to constitute a cause of action, defense or counter-claim, and that the objection will be deemed to be waived when not so raised; and amending Sections 4178 and 4194 of the Idaho Revised Codes.

H. B. NO. 209, BY DAVIS, BLACK, FEATHERSTONE, MORGAN, GALLOWAY, GLENNON, TERRELL, EDGINGTON, BRADFORD, HILL AND CROW.

An Act amending Sections 4440, 4441, 4442, 4443 and 4444 of the Code of Civil Procedure of the Revised Codes of Idaho relating to new trials.

H. B. NO. 210, BY MORGAN, BLACK, FEATHERSTONE, DAVIS, GALLOWAY, GLENNON, TERRELL, HILL, EDGINGTON, BRADFORD AND CROW.

An Act providing for furnishing the Supreme Court with typewritten copies of papers for use on appeal, and the hearing of appeals on such typewritten copies to be prepared by the Clerk of the District Court; amending Section 4818 of the Code of Civil Procedure, Revised Codes of Idaho, and inserting a new section, to be known as Section 4820A, in Part 2, Title 13, Chapter 2 of the Code of Civil Procedure of the Revised Codes of Idaho.

H. B. NO. 211, BY FEATHERSTONE, TERRELL, HILL, GALLOWAY, GLENNON, DAVIS, BLACK, MORGAN, BRADFORD, EDGINGTON AND CROW.

An Act to amend Section 4807 of the Code of Civil Procedure of the State of Idaho, relating to appeals to the Supreme Court, and designating to what orders and judgments the provisions of this Act shall apply.

Messages From the Senate.

The following message was received from the Senate:

Mr. Speaker:

I have the honor to transmit herewith Senate Bill No. 3, by Macbeth, which has passed the Senate.

Also Senate Bill No. 4, by Coates, which has passed the Senate.

Also House Bill No. 45, by Crow, which has passed the Senate.

Also Senate Concurrent Resolution No. 5, which has been adopted by the Senate.

CHARLES J. LISLE,

Assistant Secretary of Senate

Message received and House Bill No. 45 sent to the Enrolling Committee and ordered enrolled

The following Senate Concurrent Resolution was read the first time in full:

S. C. R. NO. 5, BY STATE AFFAIRS COMMITTEE

Be it resolved by the Legislature of the State of Idaho:

Whereas, by an Act dated July 3d, 1890, Congress granted to the State of Idaho about three million acres of public lands, including sections 16 and 36 in every township of the State, for the support of common schools, and in aid of various public institutions, with the right where sections 16 and 36, or any part thereof, had been sold or otherwise disposed of by or under the authority of any Act of Congress, to select other land equivalent thereto in legal subdivisions of not less than one-quarter section, and as contiguous as may be to the section in lieu of which the same was taken; and,

Whereas, by an Act dated August 18th, 1894, Congress granted to the State of Idaho the right to apply for the survey and withdrawal of townships of public lands then remaining unsurveyed and that such townships should be reserved upon the filing of the application for said survey from any adverse appropriation by settlement or otherwise, except under rights that might be found to exist of prior inception, for a period to extend from such application for survey until the expiration of sixty days from the date of the filing of the township plat of surveys in the proper district land office; and pursuant to said Act of Congress the State of Idaho made application for the survey of a large number of townships of public lands within the State of Idaho for the purpose of selecting the quota of lands donated the State; and,

Whereas, the President of the United States has by proclamations established certain forest reserves within the State of Idaho embracing more than 40 per cent of the total area of the State, including sections 16 and 36 aforesaid, and the Department of Interior has by rules and regulations denied the right of the State of Idaho to perfect its selections of public lands in townships now included in the forest reserves, but which were not included within the forest reserves at the time of the State's application for the survey thereof; and,

Whereas, the State of Idaho has now approximately one million acres consisting of sections 16 and 36 in the forest, military and other reservations established by the authority of the United States, and,

Whereas, there seems to be a disposition on the part of the United States Government to retain for an indefinite future time the said forest reserves, as now constituted; and,

Whereas, the United States Government, by its courts and officers holds that the State of Idaho has no vested interest in said lands, and have instituted various suits against this State, and its lessees for removing timber from the said lands, and have refused to admit evidence in their courts, by private survey of the identity of said sections 16 and 36 within the said reserves, and have refused to make Government survey of said sections aforesaid in the reserves aforesaid; and,

Whereas, under said conditions, said lands are to all intents and purposes lost to the said State of Idaho; and,

Whereas, the Secretary of Interior has announced that he is about

to promulgate a ruling that the State of Idaho shall no longer be allowed to use unsurveyed sections 16 and 36 in forest, military and other reservations of the United States in this State, as a base for the selection of other public lands; and,

Whereas, if such ruling be promulgated, it would result in the withholding, for many years, from settlement, sale and use of nearly one million acres of said lands granted to this State by the Federal Government, and amounting to the value of more than twenty million dollars—thus producing and affecting by such ruling to be promulgated, a highly and incalculable disastrous effect upon the school funds of this State, and the future growth of the population and resources of this commonwealth;

Therefore, be it resolved, that the Representatives of Idaho in Congress be and they are hereby directed to aid the State Board of Land Commissioners in bringing about a settlement of the conditions now existing, as aforesaid, in regard to the said unsurveyed sections 16 and 36 within the State of Idaho, so Idaho may come into possession of the land granted to it by the United States Government, or lands equivalent thereto;

And be it further resolved, that a committee consisting of the Attorney General of the State of Idaho, a member of the Senate, appointed by the President of the Senate, and a member of the House of Representatives, to be appointed by the Speaker of the House, be and the same is hereby appointed to confer with the Secretary of Interior, and the Representatives of Idaho in Congress, in the matter of the settlement of the rights of the State of Idaho to the said unsurveyed land, hereinbefore in this resolution mentioned, and to take such measures as to them shall seem best for the advancement of the best interests of the State of Idaho;

Such necessary expenditures in the way of railroad fare to and from Washington, hotel bills and incidental necessary expenses as may be incurred by the said committee shall be a charge against the State of Idaho, and shall be provided in the general appropriation bill.

Moved by Johnston, and seconded by Black, that Senate Concurrent Resolution No. 5 be adopted.

Before vote on the resolution was taken Johnston, with the consent of his second, withdrew his motion to adopt, and Senate Concurrent Resolution No. 5 was made a special order of business for 9 a. m. Thursday.

First Reading of House Bills, Concurrent Resolutions and Joint Memorials.

The following bills were read first time in full:

H. B. No. 203, by Davis

H. B. No. 204, by Smith, (by request).

H. B. No. 205, by Farmin, Jones and Sanborn.

H. B. No. 206, by Davis.

H. B. No. 207, by Crow, Davis, Black, Featherstone, Galloway, Glennon, Terrell, Hill, Edgington, Bradford and Morgan.

H. B. No. 208, by Crow, Davis, Black, Featherstone, Galloway, Glennon, Terrell, Hill, Edgington, Bradford and Morgan.

H. B. No. 209, by Crow, Davis, Black, Featherstone, Galloway, Glennon, Terrell, Hill, Edgington, Bradford and Morgan.

H. B. No. 210, by Crow, Davis, Black, Featherstone, Galloway, Glennon, Terrell, Hill, Edgington, Bradford and Morgan.

H. B. No. 211, by Crow, Davis, Black, Featherstone, Galloway, Glennon, Terrell, Hill, Edgington, Bradford and Morgan.

Second Reading and Reference of House Bills, Concurrent Resolutions and Joint Memorials.

The following House bills were read second time in full:

H. B. No. 199, by Black

H. B. No. 200, by Black.

H. B. No. 201, by Ceaser, (by request).

H. B. No. 202, by Hill.

Second Reading of Printed Amendments to House Bills.

Printed amendments to the following House Bills were read second time in full.

H. B. No. 39.

H. B. No. 56.

H. B. No. 40.

H. B. No. 27.

H. B. No. 82.

H. B. No. 109.

H. B. No. 2.

Amendments and original House Bills Nos. 39, 56, 40, 27, 82, 109 and 2 were referred to the Engrossing Committee.

Third Reading of House Bills, Concurrent Resolutions and Joint Memorials and Final Action Thereon.

House Bill No. 4 read a third time at length, section by section, for final action

The question being "Shall the bill pass?" the roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Featherstone, Friend, Galloway, Gibson, Glennon, Hellekson, Hendricks, Hill, Holmberg, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 53. Ayes, 53. Nays, none. Absent or not voting, 6.

And so the bill passed, title was approved and House Bill No. 4 ordered transmitted to the Senate.

House Bill No. 150 read a third time at length, section by section, for final action.

Moved by Nihart, and seconded by Hill, that House Bill No. 150 be referred to the Committee of the Whole and take its place on the general calendar.

Motion carried

House Bill No. 161 read a third time at length, section by section, for final action

The question being "Shall the Bill Pass?" the roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Featherstone, Friend, Galloway, Gibson, Glennon, Hellekson, Hendricks, Hill, Holmberg, Hyde, Jacobs, Jayne, Jenson, Johnson, Jones, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Sorenson, Stephens, Strode, Terrell, Taylor, Thompson, Warnick, Walker, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 51. Ayes, 51. Nays, none. Absent or not voting, 8.

And so the bill passed, title was approved, and House Bill No. 161 ordered transmitted to the Senate.

House Bill No. 62 read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Berry, Black, Bower, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Featherstone, Friend, Galloway, Gibson, Hellekson, Hendricks, Hill, Holmberg, Hyde, Jacobs, Jayne, Jenson, Johnson, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sorenson, Stephens, Taylor, Terrell, Thompson, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Jones, Sanborn, Strode, Walker.

Total number of votes, 48. Ayes, 44. Nays, 4. Absent or not voting, 11.

And so the bill passed, title was approved, and House Bill No. 62 was ordered transmitted to the Senate.

House Bill No. 131 read a third time, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Featherstone, Friend, Gibson, Glennon, Hellekson, Hendricks, Hill, Holmberg, Hyde, Jacobs, Jayne, Jenson, Johnson, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 49. Ayes, 49. Nays, none. Absent and not voting, 10.

And so the bill passed, title was approved, and House Bill No. 131 was ordered transmitted to the Senate.

First Reading of Senate Bills, Concurrent Resolutions and Joint Memorials.

The following Senate Bills were read first time in full:

S. B. No. 3, by Macbeth.

S. B. No. 4, by Coates.

Second Reading and Reference of Senate Bills, Concurrent Resolutions and Joint Memorials.

The following Senate Bills were read second time in full:

S. B. No. 16, by St. Clair.

S. B. No. 25, by Whitcomb.

Printed amendments to the following Senate Bills were read a second time in full:

Amendments to S. B. No. 19.

Amendments to S. B. No. 28.

Amendments, together with original bills, placed on third reading.

Third Reading of Senate Bills, Concurrent Resolutions and Joint Memorials and Final Action Thereon.

Senate Bill No. 14 read a third time at length, section by section, for final action.

Crow moved that Senate Bill No. 14 be referred to the Committee on Roads, Bridges and Ferries. Seconded by Edgington.

Motion carried.

Senate Bill No. 8 read a third time at length, section by section, for final action.

Moved by Davis and seconded by McCabe that Senate Bill No. 8 be referred to Committee on Roads, Bridges and Ferries.

Motion carried.

Senate Bill No. 48 read a third time, section by section, for final action.

Morgan moved that Senate Bill No. 48 be referred to the Committee on Roads, Bridges and Ferries. Seconded by Eckles.

Motion carried.

Whereupon the House resolved itself into Committee of the Whole for the consideration of the General Calendar. Black in the chair.

House in Regular Session.

The Committee of the Whole submitted the following report:

Mr. Speaker:

The Committee of the Whole have had under consideration the General Orders of the Day, and make the following recommendations:

That House Bill No. 75 be made a special order for Friday morning.

That House Bill No. 63 be laid over until the return of Hutton, and that it retain its place on the calendar.

That House Bill No. 98 be amended as follows:

That the word "has" be inserted in line 1 between the words "thereto" and "acquired."

Insert the word "original" in line 28 between the words "the" and "decree," and strike out the word "as" after the word decree."

In line 29, after the word "to" insert the following: "Provided, That the right thus established shall not be deemed res adjudicata, but prima facie merely and may be attacked by suit brought in a court of competent jurisdiction at any time by any person deeming himself aggrieved thereby."

Strike out all of line 40 after the word "served" and insert the following: "As in other civil cases."

That the words "any statement or," in line 35, be stricken out and in place thereof be substituted the words "and reporter's transcript."

That in line 36, after the word "exceptions" and before the word "shall" be inserted the following, "or any other matter required to be settled."

That in line 38 of said bill the word "statement" be stricken out and in place thereof be substituted the words "reporter's transcript," and that in said line 38, between the words "exceptions" and "shall" be inserted the following, "or other matter required to be settled."

Also House Bill No. 104, and recommend that Section 2, the emergency clause, be stricken out.

Also House Bill No. 107, and recommend that it be laid over until the Committee to visit State Institutions in the south returns and makes its report.

Also House Bill No. 112, and recommend that Section 2, the emergency clause, be stricken out. Also the words, "or shall have been," in line 3, be stricken out.

Strike out the word "contract" in line eight, and insert the word "record."

And that the bill, with these recommendations, be recommitted to the Judiciary Committee.

Also House Bill No. 60, and recommend that the title of the said bill be amended by striking out the words and figures "twenty-six hundred eighty dollars (\$2,680)" therein contained, and substituting therefor the words and figures "two thousand dollars (\$2,000)."

That in Section 1 of said act, in line one (1) thereof, the words and figures "two thousand dollars (\$2,000)" be substituted for the words and figures "twenty-six hundred eighty dollars (\$2,680)."

That in lines three and four of Section 2 of said Act, the words and figures "twenty-two hundred eighty dollars (\$2,280)" be stricken out and in place thereof be substituted the words and figures "sixteen hundred dollars (\$1,600)."

BLACK,

Chairman.

Moved by Black and seconded by Warnick that report of the Committee of the Whole be adopted.

Motion carried.

Report adopted.

Unanimous consent was given to return to the seventh order of business.

Reports of Standing Committees.

The Committee on County Lines and Boundaries submitted the following report:

Mr. Speaker:

We, your Committee on County Lines and Boundaries, respectfully report that we have had under consideration Senate Bill No. 16, and recommend that it do pass.

JOHNSTON,

Chairman.

Report adopted, and Senate Bill No. 16 filed for third reading.

The Committee on Engrossed and Enrolled Bills submitted the following report:

Mr. Speaker:

We, your Committee on Engrossed and Enrolled Bills, beg to report House Bills Nos. 71, 73, 124, 159, 184, 139, 160, 122, 182, 136 and House Joint Resolution No. 10 as correctly engrossed.

GLENNON,

Chairman.

Report accepted and House Bills Nos. 71, 73, 124, 159, 184, 139, 160, 122, 182, 136 and House Joint Resolution No. 10 filed for third reading.

Introduction of Bills, Concurrent Resolutions and Joint Memorials.

The following bills were introduced:

H. B. NO. 212, BY WARNICK.

An Act repealing an Act prohibiting the issuance of passes or free transportation to certain State and county officers over steam and electric railways and steamboats within the State of Idaho, and prohibiting the requesting or acceptance of such passes or free transportation by any of said officers; and providing for the punishment of violations thereof.

H. B. NO. 213, BY COMMITTEE ON PUBLIC HEALTH.

An Act to prevent the manufacture, sale or composition of adulterated, or misbranded, or poisonous, or deleterious foods, drugs, medicines and liquors, and to regulate traffic therein; providing for inspectors carrying out its provisions; providing penalties for violation thereof; repealing all Acts or parts of Acts in conflict herewith.

H. B. NO. 214, BY JAYNE.

An Act to amend Section 1054 of the Revised Codes of Idaho, by inserting the words "and bridges;" enabling commissioners to issue bonds for the construction and repair of bridges.

H. B. NO. 215, BY STRODE, (BY REQUEST).

An Act to amend Section 3952 of Chapter 33 of the Revised Statutes of the State of Idaho, and provide for the calling of trial and Grand Juries.

H. B. NO. 216, BY DAVIS.

An Act making the State Treasurer of the State of Idaho ex-Officio Treasurer of the University of the State of Idaho.

H. B. NO. 217, BY DAVIS.

An Act to amend Section 1578 of the Revised Codes of Idaho.

H. B. NO. 218, BY BRADFORD.

An Act defining a lottery, and to make the same, and acts and schemes to effect the same, unlawful, declaring the same an offense; also providing that property offered for sale or distribution in violation of the Act shall be forfeited to the State, and declaring the procedure to that end, and making exemptions therefrom.

First Reading of House Bills, Concurrent Resolutions and Joint Memorials.

The following bills were read first time in full:

H. B. No. 212, by Warnick.

H. B. No. 213, by Committee on Public Health.

H. B. No. 214, by Jayne.

H. B. No. 215, by Strode, (by request).

H. B. No. 216, by Davis.

H. B. No. 217, by Davis.

H. B. No. 218, by Bradford.

Reference of Bills.

The Speaker referred the following bills to their respective committees:

H. B. No. 199, Judiciary.

H. B. No. 200, Judiciary.

H. B. No. 201, Roads, Bridges and Ferries.

H. B. No. 202, State Affairs.

S. B. No. 16, County Lines and Boundaries

S. B. No. 25, Privileges and Elections.

On motion by Bradford, House adjourned until 9 a. m. Thursday.

CHARLES D. STOREY,

Speaker.

JAMES H. WALLIS

Chief Clerk.

THURSDAY, THIRTY-SECOND DAY, FEBRUARY 2, 1911.**Morning Session.**

Hall of House of Representatives,
Boise, Idaho, February 2, 1911.

House met pursuant to adjournment, Mr. Speaker in the chair.

Prayer was offered by the Chaplain.

Roll call showed all members present except Hutton, who was excused.

Special Order.

The hour of 9 a. m. having arrived, Senate Concurrent Resolution No. 5, which was made a special order for this time, was taken up for disposal.

Moved by Black and seconded by Morgan that Senate Concurrent Resolution No. 5 be amended as follows:

That after the word "thereto" of paragraph two of page three of Senate Concurrent Resolution No. 5 there be added the following: "Provided, That nothing herein contained shall be construed as requesting or permitting the commission herein provided for, or Congress, or the Department, to do any act which will in any manner

deprive the settlers upon the public domain of the United States, within the State of Idaho, of any rights they now have, or to give to the State of Idaho any rights to such lands, by reason of the attempted selection of said lands in lieu of attempted relinquishment of Sections sixteen (16) and thirty-six (36) heretofore made to the lands, claimed by any of such settlers"

Motion carried.

Amendment adopted.

The question was then upon the adoption of the resolution as amended.

Vote being taken, Senate Concurrent Resolution No. 5 was adopted.

Report of Committee on Journal.

Journal for the thirty-first day was then read.

The Committee on Journal submitted the following report:

Mr. Speaker:

We, your Committee on Journal, beg leave to report that we have had under consideration the Journal for the 31st day and have corrected the same, and move that the Journal for that day be approved.

WARNICK,

Chairman.

Report adopted.

Journal for thirty-first day was approved.

Reports of Standing Committees.

The Committee on Printing submitted the following report:

Mr. Speaker:

Your Committee on Printing herewith report that we have had correctly printed and distributed the following: House Bills Nos. 140, 171, 169, 180, 181, 182, 149 House Joint Resolution No. 12. The following have been read by copy, corrected and sent to the printer: House Bills Nos. 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217 and 218.

JONES,

Chairman.

Report accepted.

The Committee on Engrossed and Enrolled Bills submitted the following report:

Mr. Speaker:

We, your Committee on Engrossed and Enrolled Bills, report House Bills Nos. 2, 40, 27, 109, 117, 95, 158, 143, 39, 56, 169 and 162 correctly engrossed.

GLENNON,

Chairman.

Report adopted and House Bills Nos. 2, 40, 27, 109, 117, 95, 158, 143, 39, 56, 169 and 162 filed for third reading.

The Committee on Roads, Bridges and Ferries submitted the following report:

Mr. Speaker:

We, your Committee on Roads, Bridges and Ferries, having had under consideration Senate Bill No. 14, by Macbeth, amend the same as follows:

Strike out the words "ten thousand dollars" and the figures "(10,000)" wherever they occur in the title and insert the words "seven thousand five hundred dollars" and the figures "(\$7,500)."

Section 5, line 3, strike out the words "ten thousand dollars" and the figures "(\$10,000)" and insert the words "seven thousand five hundred dollars" and the figures "(\$7,500)."

Section 5, line 6, strike out the words, "in the" and insert the words "to the number of eight bonds, being seven bonds in the sum of one

thousand dollars (\$1,000) each and one in the sum of five hundred dollars (\$500)."

Section 6. Line 6, strike out the word "ten" and insert the word "eight."

Section 7. In line 3, strike out the words and figures "one-half (1-2)" and substitute the words and figures two-fifths (2-5) therefor.

Section 12. Line 6, strike out the words "ten thousand dollars" and the figures "(\$10,000)" and insert the words "seven thousand five hundred dollars" and the figures "(\$7,500)."

Section 12. Line 9, strike out the words "ten thousand dollars" and insert the words "seven thousand five hundred dollars."

Section 12. Line 10, strike out the figures "(\$10,000)" and insert the figures "(\$7,500)."

And recommend that said bill as amended do pass.

Also having considered Senate Bill No. 8 be amended as follows:

Strike out the words and figures "twenty thousand dollars (\$20,000) in the title thereof and substitute the words and figures "twenty-seven thousand dollars (\$27,000)" therefor.

Lines 9 and 10, Section 1, strike out the words and figures "the sum of five dollars (\$5) per day for each day actually employed and."

Lines 3 and 4, Section 16, strike out the words and figures "twenty thousand dollars (\$20,000)" and substitute the words and figures "twenty-seven thousand dollars (\$27,000)."

And recommend that said bill as amended do pass.

Also having had under consideration Senate Bill No. 48 recommend that the same do pass.

GLENNON,

Chairman.

Report adopted and Senate Bill No. 48 filed for third reading.

The Judiciary Committee submitted the following report:

Mr. Speaker:

The Judiciary Committee having had under consideration House Bill No. 57, by Strode, recommend that Section 6, line 2, be amended by inserting the words "in writing" after the word "contracting" and that the bill do pass as amended.

Also House Bill No. 189, by Hellekson, recommend that same be amended as follows: Strike out all of the title after the words "set forth" and change the semi-colon to a period. In line 13 change the comma to a period and strike out the words "and, if by divorce, the grounds upon which the divorce was granted." After the word "license," in line 18, strike out the remainder of the line and all of lines 19 and 20. And recommend that the bill do pass as amended.

Also House Bill No. 194, by Terrell, recommend that same do pass

Also House Bill No. 192, by Sorenson, return the same to the House with the recommendation that same be placed upon the general calendar.

Also House Bill No. 106, substitute for House Bill No. 25, by Walker, report same back to the House with the recommendation that it do not pass.

Also House Bill No. 199, by Black, report back to the House with the recommendation that it do pass

Also House Bill No. 200, by Black, report back with the recommendation that it do pass

Also House Bill No. 58, by Walker, recommend that same do pass.

FEATHERSTONE,

Chairman.

Report adopted and House Bills Nos. 194, 199, 200 and 58 referred to Engrossing Committee and ordered engrossed.

The Committee on Privileges and Elections submitted the following report:

Mr. Speaker:

We, your Committee on Privileges and Elections respectfully report that we have had under consideration House Joint Resolution No. 12 and recommend that it do pass.

BRADLEY,

Chairman.

Report adopted and House Joint Resolution No. 12 ordered engrossed.

The Committee on Engrossed and Enrolled Bills submitted the following report:

Mr. Speaker:

We, your Committee on Engrossed and Enrolled Bills, beg leave to report that House Bills Nos. 97 and 45 and House Joint Memorial No. 4 are correctly enrolled.

GLENNON,

Chairman

Report adopted

Speaker, in the presence of the House, signed House Joint Memorial No. 4 and House Bills Nos. 97 and 45.

Introduction of Bills, Concurrent Resolutions and Joint Memorials.

The following bills were introduced:

H. B. NO. 219, BY NIHART, JAYNE, HENDRICKS AND DUNNING.

An Act providing for a State Banking Board, and prescribing their duties and powers; providing a despositor's guarantee fund or bonding plan, and providing for its maintenance and administration.

H. B. NO. 220, BY WILSON.

An Act to provide for the establishment, building and equipment of a State school and hospital for feeble-minded; to provide for the management thereof by the State Board of Education; and to provide for the issuance, sale and redemption of bonds to raise money for the purchase of a site and for the building and equipping of said school and hospital.

H. B. NO. 221, BY JAYNE.

An Act providing for the issuance and sale of State bonds in the sum of six thousand dollars (\$6,000) and appropriating the proceeds thereof for the construction of a wagon bridge across the Snake River at or near the southwest corner of Township 10 South, Range 20 East, Boise Meridian, between Twin Falls and Lincoln Counties, Idaho; authorizing the levy of an annual ad valorem tax to provide a sinking fund for the payment of such bonds at maturity and the interest thereon, as the same becomes due: Provided, That the cost and fair value of said bridge shall be not less than six thousand five hundred dollars (\$6,500) and that the additional amount over and above the sum of three thousand dollars (\$3,000) shall be raised from other sources and made available to the satisfaction of the Governor of Idaho before the proceeds of said bonds, or any part thereof, shall be available; providing for a bridge commission to have general control of the construction of said bridge and of the disbursement of the appropriation made by this Act.

H. B. NO. 222, BY STRODE AND BLACK.

An Act providing for commissions consisting of five members each, whose duty it shall be to fix the rates to be charged for all telephone, electric light, gas or power service within cities, villages and counties; compelling all persons, firms or corporations engaged in said

business to furnish said service, upon demand in writing, without distinction of persons; and fixing a penalty for non-compliance with the rates so fixed, prescribing the method of appointing said commissioners, and fixing their qualifications and oath of office; fixing the time and place of meeting of said commissioners; fixing a penalty for the failure by any person, firm or corporation supplying said service to appoint commissioners, prescribing the powers and duties of said commissioners, and fixing their compensation; providing for the payment of all expenses incurred by said commissioners; designating an attorney to act for such commissioners; prescribing a method for the collection of all forfeiture; providing a method for the service of subpoenas, and making it a misdemeanor to disobey any subpoena, or to fail to appear and give testimony, or to refuse to produce any books, records, papers or documents before such commission.

H. B. NO. 223, BY CROW.

An Act to amend Section 5212 of the Revised Codes of Idaho, relating to property which may be taken under the right of eminent domain

H. B. NO. 224, BY HILL AND PINCOCK.

An Act amending Section 1648 of the Revised Codes of Idaho providing for the levy for State tax and delinquency warrant tax.

H. B. NO. 225, BY HILL AND PINCOCK.

An Act amending Subdivision 8, Section 892, and Subdivision 10, Section 894 of Section 23 of Senate Bill No. 108, passed by the Tenth Session of the Legislature and approved March 16, 1909, entitled "An Act providing for a county system of roads and highways, etc."

H. B. NO. 226, BY JACOBS

An Act to amend an Act entitled, "An Act to amend an Act entitled, 'An Act to provide for the establishment of graded public schools in the City of Lewiston. An Act to provide for the establishment and maintenance of graded schools in the City of Lewiston,' approved December 20, 1880, and also as amended by Act of February 7, 1883, and as amended by Act of February 5, 1885, as appears in said Act, and to provide for the organization and the government of Independent School District No. 1 of Nez Perce County, Idaho, and for establishing and maintaining a system of schools; authorizing a superintendent therefor, and to provide for the assessing and collecting of the taxes therefor; and providing for the refunding of the bonds thereof and the issuing of the bonds thereof; and providing a treasurer for said district, and for depositing the funds thereof; and providing for the investment of the surplus moneys of said district," approved March 6, 1909.

H. B. No. 227, BY GALLOWAY (BY REQUEST OF STATE FEDERATION OF WOMAN'S CLUBS.

An Act creating, perpetuating and maintaining a State Civil Service Commission, providing for the appointment of officers incidental thereto; fixing and regulating the compensation of such commission officers, defining their powers and duties, classifying appointments under the civil service of the State; providing for the examination and appointment of persons to office, within such classified civil service, defining offenses in violation of this Act; prescribing punishment for such offenses; repealing all acts in conflict herewith.

H. B. NO. 228, BY ALLRED AND NIELSON.

An Act to prevent unlawful discrimination in the sale of milk, cream and butter fat; and to provide a punishment for the same.

Message From the Senate.

The following message was received from the Senate:

Mr. Speaker:

I have the honor to transmit herewith Senate Bill No. 50, by Freehafer, which has passed the Senate.

Also Senate Bill No. 52, by Poole, which has passed the Senate.

Also Senate Bill No. 47, by Freehafer, which has passed the Senate.

CHARLES J. LISLE,
Assistant Secretary of Senate.

First Reading of House Bills, Concurrent Resolutions and Joint Memorials.

The following House Bills were read first time in full:

H. B. No. 219, by Nihart, Jayne, Hendricks and Dunning.

H. B. No. 220, by Wilson.

H. B. No. 221, by Jayne.

H. B. No. 222, by Strode and Black.

H. B. No. 223, by Crow.

H. B. No. 224, by Hill and Pincock.

H. B. No. 225, by Hill and Pincock.

H. B. No. 226, by Jacobs.

H. B. No. 227, by Galloway (by request).

H. B. No. 228, by Allred and Nielsen.

Second Reading and Reference of House Bills, Concurrent Resolutions and Joint Memorials.

The following bills were read second time in full:

H. B. No. 203 (substitute for H. B. No. 125), by Davis.

H. B. No. 204, by Smith (by request).

H. B. No. 205, by Farmin, Jones and Sanborn.

H. B. No. 206, by Davis.

H. B. No. 207, by Crow, Davis, Black, Featherstone, Galloway, Glennon, Terrell, Hill, Edgington, Bradford and Morgan.

H. B. No. 208, by Crow, Davis, Black, Featherstone, Galloway, Glennon, Terrell, Hill, Edgington, Bradford and Morgan.

H. B. No. 209, by Davis, Black, Featherstone, Morgan, Galloway, Glennon, Terrell, Edgington, Bradford, Hill and Crow.

H. B. No. 210, by Morgan, Black, Featherstone, Davis, Galloway, Glennon, Terrell, Hill, Edgington, Bradford and Crow.

H. B. No. 211 by Featherstone, Terrell, Hill, Galloway, Glennon, Davis, Black, Morgan, Bradford, Edgington and Crow.

H. B. No. 212, by Warnick.

H. B. No. 213, by Committee on Public Health.

H. B. No. 214, by Jayne.

H. B. No. 215, by Strode (by request).

H. B. No. 216, by Davis.

H. B. No. 217, by Davis.

H. B. No. 218, by Bradford.

Reference of Bills:

Speaker referred the following House Bills to their respective committees:

H. B. No. 203, Privileges and Elections.

H. B. No. 204, Medicine, Surgery and Pharmacy.

H. B. No. 205, Judiciary.

H. B. No. 206, Judiciary.

H. B. No. 207, Judiciary.

H. B. No. 208, Judiciary.

H. B. No. 209, Judiciary.

H. B. No. 210, Judiciary.

H. B. No. 211, Judiciary.

H. B. No. 212, Railroads, Carriers and Other Public Corporations.

H. B. No. 213, Public Health.

H. B. No. 214, Roads, Bridges and Ferries.

H. B. No. 215, Judiciary.

H. B. No. 216, State Affairs.

H. B. No. 217, State Affairs.

H. B. No. 218, State Affairs

Third Reading of House Bills, Concurrent Resolutions and Joint Memorials and Final Action Thereon.

H. B. NO. 27, BY BLACK

Read third time at length, section by section, for final action.

The question being, "Shall the bill pass?" the roll was called with the following result.

Ayes—Arthur, Allred, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Davis, Dunning, Eckles, Edgington, Farmin, Featherstone, Friend, Gibson, Glennon, Hellekson, Hendricks, Hill, Holmberg, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None

Total number of votes, 54. Ayes, 54. Nays, 0. Absent, not voting, 5.

And so the bill passed, title was approved, and House Bill No. 27 ordered transmitted to the Senate.

H. B. NO. 109, BY COMMITTEE ON PUBLIC HEALTH.

Read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Elmers, Farmin, Featherstone, Friend, Galloway, Glennon, Hammer, Hellekson, Hendricks, Hill, Holmberg, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 57. Ayes, 57. Nays, 0. Absent, not voting, 2.

And so the bill passed, title was approved, and House Bill No. 109 ordered transmitted to the Senate.

H. B. NO. 136, BY MORGAN.

Read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result.

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Elmers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hammer, Hellekson, Hendricks, Hill, Holmberg, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 58. Ayes, 58. Nays, none. Absent, not voting, 1.

And so the bill passed, title was approved, and House Bill No. 136 ordered transmitted to the Senate.

H. B. NO. 184, BY WARNICK.

Read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldridge, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 58. Ayes, 58. Nays, 0. Absent, not voting, 1.

And so the bill passed, title was approved, and House Bill No. 184 ordered transmitted to the Senate.

H. B. NO. 182, BY TERRELL.

Read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldridge, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Leaf, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Warnick, Wilson, Wood, Mr. Speaker.

Nays: Morgan, Walker.

Total number of votes, 57. Ayes, 55. Nays, 2. Absent, not voting, 2.

And so the bill passed, title was approved, and House Bill No. 182 ordered transmitted to the Senate.

H. B. NO. 122, BY FEATHERSTONE.

Read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Baldridge, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 57. Ayes, 57. Nays, none. Absent, not voting, 2.

And so the bill passed, title was approved, and House Bill No. 122 ordered transmitted to the Senate.

HOUSE BILL NO. 2, BY BELL AND HOLMBERG.

Read third time at length, section by section, for final passage.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldridge, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hellekson, Hendricks, Hill, Holmberg, Hyde, Jacobs, Jayne, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Warnick, Wilson, Wood, Mr Speaker.

Nays—Hanmer, Walker.

Total number of votes, 57 Ayes, 55 Nays, 2. Absent, not voting, 2

And so the bill passed, title approved, and House Bill No. 2 was ordered transmitted to the Senate.

H B NO 139, BY FEATHERSTONE.

Read third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldridge, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Hyde, Holmberg, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Smith, Sorenson, Stephens, Strode, Terrell, Taylor, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Sanborn.

Total number of votes, 58. Ayes, 57. Nays, 1. Absent, not voting, 1.

And so the bill passed, title was approved, and House Bill No. 139 was ordered transmitted to the Senate

Unanimous consent was given to advance to the Twentieth Order of Business.

Third Reading of Senate Bills, Concurrent Resolutions and Joint Memorials and Final Action Thereon.

S. B. No. 16. BY ST. CLAIR.

Read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Baldridge, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Sanborn, Friend.

Total number of votes, 58 Ayes, 56. Nays, 2. Absent, not voting, 2.

And so the bill passed, title was approved, and Senate Bill No. 16 ordered transmitted to the Senate

S. B. NO. 28, BY LEE.

Read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 58. Ayes, 58. Nays, none. Absent, not voting, 1.

And so the bill passed, title was approved, and Senate Bill No. 28 was ordered transmitted to the Senate.

S. B. NO. 48, BY HAIGHT.

Read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Sanborn, Walker.

Total number of votes, 58. Ayes, 56. Nays, 2. Absent, not voting, 1.

And so the bill passed, title was approved, and Senate Bill No. 48 was ordered transmitted to the Senate.

S. B. NO. 19, BY WHITCOMB.

Read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 57. Ayes, 57. Nays, none. Absent, not voting, 2.

And so the bill passed, title was approved, and Senate Bill No. 19 was ordered transmitted to the Senate.

Unanimous consent was given to return to the seventeenth order of business.

H. B. NO. 124, BY ECKLES.

Read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Leaf, Morgan, McCabe,

Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 57. Ayes, 57. Nays, none. Absent, not voting, 2.

And so the bill passed, title was approved, and House Bill No 124 was ordered transmitted to the Senate

H. B. NO 159, BY NIHART

Read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Elmers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 57. Ayes, 57. Nays, none. Absent, not voting, 2.

And so the bill passed, title was approved, and House Bill No. 159 was ordered transmitted to the Senate.

H. B. NO. 73, BY GALLOWAY.

Read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Elmers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 57. Ayes, 57. Nays, none. Absent, not voting, 2.

And so the bill passed, title was approved, and House Bill No. 73 ordered transmitted to the Senate.

H. B. NO. 160, BY GALLOWAY.

Read a third time at length, section by section, for final action.

Moved by Davis and seconded by Galloway that House Bill No. 160 be referred to the Committee on Appropriations.

Motion carried

H. B. NO. 117, BY CROW.

Read a third time at length, section by section, for final action

The question being "Shall the bill pass?" roll was called with the following result.

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Elmers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn,

Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 58. Ayes, 58. Nays, none. Absent, not voting, 1.

And so the bill passed, title was approved, and House Bill No. 117 ordered transmitted to the Senate.

H. J. R. No. 10, BY FARMIN.

Read a third time at length, section by section, for final action.

Unanimous consent was given to substitute the word administrator for the word administration in the resolution.

The question being "Shall the resolution pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Elmers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hammer, Hellekson, Hendricks, Hill, Holmberg, Hyde, Jacobs, Jayne, Jenson, Johnson, Jones, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 55. Ayes, 55. Nays, 0. Absent, not voting, 4.

And so House Joint Resolution No. 10 passed and was ordered transmitted to the Senate.

H. B. NO. 95, BY MORGAN.

Read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Elmers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hammer, Hellekson, Hendricks, Hill, Holmberg, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Sanborn.

Total number of votes, 56. Ayes, 55. Nays, 1. Absent, not voting, 3.

And so the bill passed, title was approved, and House Bill No. 95 was ordered transmitted to the Senate.

H. B. NO. 71, BY COMMITTEE ON BANKS AND BANKING.

Read to Section 14.

Moved by Morgan, and seconded by Strode, that House Bill No. 71 be referred to the Committee of the Whole.

Motion lost.

Moved by Morgan, and seconded by Walker, that House Bill No. 71 be referred to the Engrossing Committee for arranging engrossed pages in their proper order.

Motion carried.

Engrossing Committee reported House Bill No. 71 corrected as instructed.

Unanimous consent was given to change the word "device" to "devise" in Section 20 of House Bill No. 71.

Reading of House Bill No. 71 continued to Section 45.

Moved by Morgan, and seconded by Gibson, that House adjourn to 9 a. m. Friday

Motion carried.

House adjourned.

CHARLES D STOREY,
Speaker

JAMES H. WALLIS
Chief Clerk

FRIDAY, THIRTY-THIRD DAY, FEBRUARY 3, 1911.

Morning Session.

Hall of the House of Representatives,
Boise, Idaho, February 3, 1911.

House met pursuant to adjournment. Mr Speaker in the Chair.

Prayer was offered by the Chaplain.

Roll call showed all members present

Journal for the thirty-second day was read.

The Committee on Journal submitted the following report.

Mr. Speaker:

The Committee on Journal beg leave to report that they have had under consideration the Journal for the thirty-second day and have corrected the same, and move that the Journal for that day be approved.

WARNICK,
Chairman.

Report adopted, and Journal for thirty-second day approved.

Unfinished Business.

Third reading of House Bill No 71 was continued, section by section, for final action.

The question being "Shall the bill pass?" the roll was called with the following results:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hyde, Jacobs, Jayne, Johnson, Jones, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Hutton, Kerby, Parker and Pincock.

Total number of votes, 53. Ayes, 49. Nays, 4. Absent, not voting, 6.

And so the bill passed, title was approved, and House Bill No. 71 ordered transmitted to the Senate.

Reports of Standing Committees.

Committee on Engrossed and Enrolled Bills submitted the following report:

Mr. Speaker:

We, your Committee on Engrossed and Enrolled Bills, beg leave to report House Bills Nos. 82, 200, 199, 58, 194 and H. J. R. No. 12 correctly engrossed.

GLENNON,
Chairman.

Report received and House Bills Nos. 82, 200, 199, 58, 194 and H. J. R. No. 12 filed for third reading

The Committee on Printing submitted the following report:

Mr. Speaker:

Your Committee on Printing herewith report that we have had

correctly printed and distributed the following. House Bills Nos. 152, 156, 165, 192, 195, 200, 203, 205, 202, 188, 191, 194, 199, 190, 197; amendments to House Bills Nos. 41 and 68.

The following have been read by copy, corrected and sent to the printer:

House. Bills Nos. 219, 220, 221, 222, 223, 224, 225, 226, 227 and 228.

JONES,
Chairman.

Reports received.

The Judiciary Committee submitted the following report:

Mr. Speaker:

The Judiciary Committee having had under consideration House Joint Resolution No. 1, by Hanmer, report same back to the House with the recommendation that the substitute, House Joint Resolution No. 13, submitted herewith do pass.

DAVIS,
Acting Chairman.

Introduction of Bills, Concurrent Resolutions and Joint Memorials.

The following bills were introduced:

H. B. NO. 229, BY TERRELL (BY REQUEST).

An Act amending an Act of the Legislature of the State of Idaho, approved March 13, 1909, entitled "An Act for the protection of persons furnishing materials and labor for the construction, alteration or repair of public buildings and works."

H. B. NO. 230, BY ALLRED.

An Act allowing County Commissioners to fix an annual salary for constables, conditioned upon fee receipts, and providing for the payment of the same.

H. B. NO. 231, BY GLENNON AND SORENSON.

An Act to amend Sections 4655, 4659, 4660 and 4695 of the Revised Codes of Idaho relating to proceedings in justice courts.

H. B. NO. 232, BY BLACK.

An Act amending Section 2784 of the Revised Codes of the State of Idaho, providing for an annual license fee and the filing of an annual statement upon the part of corporations doing business in the State of Idaho.

H. B. No. 233, BY BLACK.

An Act providing a form of government for cities of the State of Idaho now or hereafter having a population of three thousand (3,000), or over; providing that any such city may become organized under the provisions of this Act through the adoption thereof by special election, and providing the procedure therefor; providing for the holding of general and special municipal elections; prescribing the powers and duties of officials under this Act; providing for the recall of elective officials; providing for the initiation of legislation by the people and for the submission of measures and ordinances to a vote of the electors of cities adopting the provisions of this act, and prescribing the procedure therefor; providing for granting of franchises and making of contracts and providing other powers, functions, rights and privileges usually exercised by cities of like character and degree; providing a method whereby any city adopting the provisions of this Act may discontinue the same after a certain time; providing that nothing in this Act shall be construed as repealing or modifying any existing general laws governing such cities unless such

general laws are inconsistent with the provisions of this Act, and that this Act shall be construed as an additional and concurrent authority to Title 13 of the Political Code of the Revised Codes of Idaho, for such cities as may by special election become organized under this Act; and declaring an emergency.

H. B. NO. 234, BY STEPHENS AND HELLEKSON.

An Act making it unlawful for any person to operate a motor vehicle at an unreasonable rate of speed upon public highways of this State; requiring the operator of a motor vehicle to give warning of its approach while traveling upon public highways, and requiring reasonable precaution to be used by such operator to insure the safety of persons when approaching same; providing that the operator of any such motor vehicle shall stop the same when requested so to do, and making provisions, when persons are injured by any such motor vehicle, the operator shall give the name and address of the owner of same; providing a penalty for violation of provisions of this Act, and making provisions for compensation in damages to persons for injuries incurred through the violation of this Act.

H. B. NO. 235, BY JONES.

An Act to create a State wagon and bridge fund, to provide for the sale of bonds in the total amount of one hundred thousand dollars (\$100,000), and constituting the proceeds thereof a State fund for aiding in the building of roads and bridges throughout the State; authorizing the levy of an ad valorem tax to provide a sinking fund for the payment of such bonds at maturity and the accruing interest thereon; establishing commissions to superintend the building of roads and bridges under the provisions of this Act; providing for an assistant to the State Engineer to aid in bridge and road surveys and construction; repealing all acts and parts of acts in conflict herewith.

H. B. NO. 236, BY TERRELL, MORGAN, GLENNON AND CROW.

An Act to provide for and authorize the payment of the expenses of the judges of the District Courts of the State of Idaho.

H. B. NO. 237, BY THE COMMITTEE ON PUBLIC HEALTH.

An Act to amend Section 6935 of the Revised Codes of Idaho.

H. B. NO. 238, BY TAYLOR.

An Act requiring the tax collector in each county of this State to give a written notice on or before the first day of December of each year to all persons owing taxes to such county, said notice to contain a statement of the total amount of tax due from such person; and to specify particularly the several levies made in such county.

H. B. NO. 239, BY GALLOWAY.

An Act to amend Sections 1654 and 1815 of the Revised Codes of Idaho; providing for the examination of all real estate in the county by the assessor or a deputy, and providing a penalty therefor.

H. J. R. NO. 13, BY HANMER.

A Joint Resolution proposing the amendment of Section 2, Article 3, of the Constitution of the State of Idaho, submitting to the electors of said State, for their approval or rejection, the question whether said section shall be so amended that the Senate shall consist of one member from each county and the House of Representatives of not more than three times as many members as there are Senators.

Unanimous consent was given to return to the Seventh Order of Business.

Reports of Standing Committees.

The Committee on County Lines and Boundaries submitted the following reports:

Majority Report.

Mr. Speaker:

We, the majority of the Committee on County Lines and Boundaries, beg leave to recommend that House Bill No 130 do pass.

JOHNSTON,
Chairman.

JOHNSON,
JENSON,
PARKER,
BURRELL.

Minority Report.

We, the minority of the Committee on County Lines and Boundaries, beg leave to recommend that House Bill No. 130 do not pass.

EIMERS,
ARTHUR.

Burrell moved that the majority report be adopted and that House Bill No. 130 be engrossed.

Seconded by McCabe.

Friend moved as a substitute motion that the minority report be adopted. Seconded by Sanborn

The question now being, "Shall the minority report be adopted?"

Vote was taken and motion declared lost.

The question was then on the adoption of the majority report.

Motion carried.

Report adopted.

The Committee on Privileges and Elections submitted the following report:

Mr. Speaker:

We, your Committee on Privileges and Elections, respectfully report that we have had under consideration Senate Bill No. 25, and recommend that it do pass.

Also House Bill No. 203 and recommend that it do pass as amended.

BRADLEY,
Chairman.

Report adopted, and Senate Bill No. 25 filed for third reading.

The Committee on County Lines and Boundaries submitted the following report:

Mr. Speaker:

We, your Committee on County Lines and Boundaries, respectfully report that we have had under consideration House Bill No. 132 and recommend that it do pass.

Also House Bill No. 81 and recommend that it do pass. Mr. Eimers voted against this recommendation but did not desire to submit a minority report.

JOHNSTON,
Chairman.

Report adopted and House Bills Nos. 81 and 132 referred to Engrossing Committee and ordered engrossed.

The Committee on State Affairs submitted the following report:

Mr. Speaker:

We, your Committee on State Affairs, respectfully report that we have had under consideration House Bill No. 19 and recommend that it do pass.

JOHNSTON,
Chairman.

Report adopted and House Bill No. 19 ordered engrossed.

Message From the Senate.

The following message was received from the Senate:

Mr. Speaker:

I have the honor to inform you that the Senate has concurred in Senate Concurrent Resolution No. 5, as amended and passed by the House.

Also have the honor to transmit herewith Senate Bill No. 80, by Gooding (substitute for S. B. No. 45), and Senate Bill No. 42, by Lee, which have passed the Senate.

Also Senate Bill No. 66, Senate Bill No. 57, Senate Bill No. 56 and Senate Bill No. 46, which have passed the Senate.

Also Senate Bill No. 65, by Coates, Eckert, Gooding, Haight, Lee, Page, Potts, Preston, Shawhan, St. Clair, Williams and Yates, which has passed the Senate.

Also House Bill No. 55, by Smith, amended, which has passed the Senate

CHARLES J. LISLE,

Assistant Secretary of Senate.

Message received and Senate Bills Nos. 80, 42, 66, 57, 56, 46, 65, 55 filed for first reading.

Message From the Senate.

The following message was received from the Senate:

To the House of Representatives.

We, your Joint Investigating Committee, beg leave to report that at a meeting of said Committee, held on January 31, 1911, it was decided that a hearing of the Mackay dam charges, as filed by Senator Ravenal Macbeth, will be held at 7:30 o'clock on Next Tuesday evening, February 7, 1911. James H. Brady, Robert Lansdon, D. C. McDougall, James Stephenson, Jr., and S. Belle Chamberlain, the defendants named in the above charge have been summoned to appear at that time before said committee in order that they may furnish testimony regarding said charges.

THOMAS PRESTON,

Chairman.

Report received and filed.

Messages From the Governor.

Boise, February 2, 1911.

Mr. Speaker and Gentlemen of the House of Representatives:

I have the honor to inform your honorable body that I have this day approved, signed and transmitted to the Secretary of State, House Bill No. 45, by Crow.

JAMES H. HAWLEY,

Governor.

Boise, February 2, 1911.

Mr. Speaker and Gentlemen of the House of Representatives:

I have the honor to inform your honorable body that I have this day approved, signed and transmitted to the Secretary of State House Bill No. 46 (substitute for House Bill No. 7), by Crow.

JAMES H. HAWLEY,

Governor.

First Reading of House Bills, Concurrent Resolutions and Joint Memorials.

The following House Bills were read first time in full.

H. B. No. 229, by Terrell (by request).

H. B. No. 230, by Allred.

H. B. No. 231 by Glennon and Sorenson.
H. B. No. 232, by Black.
H. B. No. 233, by Black.
H. B. No. 234, by Stephens and Hellekson.
H. B. No. 235, by Jones
H. B. No. 236, by Terrell, Morgan, Glennon and Crow.
H. B. No. 237, by Committee on Public Health.
H. B. No. 238, by Taylor.
H. B. No. 239, by Galloway.
H. J. R. No. 13, by Hanmer.

First Reading of Printed Amendments to House Bills.

Printed amendments to House Bills Nos 41 and 68 were read first time in full.

Second Reading and Reference of House Bills, Concurrent Resolutions and Joint Memorials.

The following House Bills were read the second time in full:

H. B. No. 219, by Nihart, Jayne, Hendricks and Dunning.
H. B. No. 220, by Wilson.
H. B. No. 221, by Jayne.
H. B. No. 222, by Strode and Black.
H. B. No. 223, by Crow.
H. B. No. 224, by Hill and Pincock.
H. B. No. 225, by Hill and Pincock.
H. B. No. 226, by Jacobs.
H. B. No. 227, by Galloway (by request).
H. B. No. 228, by Allred and Nielsen.

Third Reading of House Bills, Concurrent Resolutions and Joint Memorials and Final Action Thereon.

HOUSE JOINT RESOLUTION NO. 12, BY WARNICK, FEATHERSTONE AND HANMER, read a third time at length, section by section, for final action.

Unanimous consent was given on motion by Morgan that House Joint Resolution No. 12 be made a special order for 9 a. m. Monday morning, February 6, 1911.

HOUSE BILL NO. 158, BY JUDICIARY COMMITTEE, was read a third time at length, section by section, for final action.

Moved by Morgan and seconded by Davis that H. B. No. 158 be referred to the Committee of the Whole.

Motion carried.

HOUSE BILL NO. 143, BY JOHNSON, was read a third time at length, section by section, for final action.

Moved by Davis and seconded by Hill that House Bill No. 143 be referred to the Committee of the Whole and take its place on the general calendar.

Motion carried.

HOUSE BILL NO. 39, BY BERRY (BY REQUEST), was read a third time at length, section by section, for final action.

By request House Bill No. 39 was referred to the Committee on Engrossing, and its place retained on the General Calendar.

HOUSE BILL NO. 56, BY JOHNSON, was read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" the roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edging-

ton, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hellekson, Hendricks, Hill, Holmberg, Hyde, Jacobs, Jayne, Jenson, Johnson, Jones, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None

Total number of votes, 55. Ayes, 55 Nays, none, Absent, not voting, 4

And so the bill passed, title was approved, and House Bill No 56 ordered transmitted to the Senate

HOUSE BILL NO. 169, BY EIMERS, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" the roll was called with the following result:

Ayes—Allred, Arthur, Baldridge, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hyde, Jacobs, Jenson, Johnson, Johnston, Jones, Kerby, Leaf, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Hutton, Jayne, Morgan, Sanborn, Walker

Total number of votes, 57 Ayes, 52. Nays, 5. Absent, not voting, 2.

And so the bill passed, title was approved, and House Bill No. 169 ordered transmitted to the Senate.

Message From the Governor.

The following message was received from the Governor.

To the Senate and House of Representatives

Under the provisions of an Act of the Tenth Session of the Legislature, entitled:

An Act creating a State School Law Commission, defining its duties, powers and the qualifications of its members, providing for its organization and meetings and making provisions for the expenses of such commission, approved March 15, 1909, it became the duty of the commission so appointed to investigate educational conditions in the State and propose such amendments and additions to the present laws as seemed to the commission to be to the best interests of educational matters throughout the State. Under the provisions of this law, Governor Brady appointed Professor George H. Black and Professor Walter R. Siders to act in conjunction with the State Superintendent of Public Instruction as members of the commission. Under the Act in question it is made the duty of the commission to issue a report to the Legislature at this session, showing the result of the investigation made by the commission, together with a complete statement of the proposed amendments or additions to the school law of the State

Under date of January 29th, 1911, the commission transmitted to me their report, submitting a compilation of the school laws, together with suggestions and amendments thereto proposed by the commission. The report itself was finally placed in my hands upon yesterday and I hasten to place it before you

While, under the provisions of the Act, it may be doubtful whether this report should by the commission be sent direct to the Legislature or transmitted through me as Governor, I have concluded the method of placing it in your hands was of but little moment and have accepted it from the hands of the commission, and a copy of it is herewith transmitted to your honorable body. The suggestions and

investigations of the commission are included in the proposed Act itself. A table of contents is attached to the Act in the form of an index, and a table showing the changes made. This table gives an opportunity of readily referring to the changes proposed and of comparing the law as it is with the Act proposed. The bill as submitted by the commission, so far as a somewhat cursory examination on my part permits me to judge it, incorporates all of the school laws of the State in one bill and will thus enable, if passed, all interested in educational matters to readily refer to any desired topic. The proposed bill has evidently been drawn after careful thought and full consideration on the part of the commission, and seemingly presents a perfect system. The proposed changes in the law do not seem to be radical in their nature except as to the method of apportioning school money. The present system of apportionment has been in vogue for nearly forty years and, while undoubtedly correct at its inception, no longer in my judgment applies to conditions in this State. I commend the proposed change in this system as shown in Section 67 of the proposed law, page 26, to your careful consideration. The other changes proposed and the new sections added are, so far as I have been able to investigate, in line with legislation heretofore had and corrects the defects in such legislation. While there may be corrections needed in the phraseology of the proposed law, as submitted by the commission, I think that after due consideration you will agree with me that the members of the commission have earnestly and conscientiously endeavored to discharge their duty and have submitted a bill to you that deserves your careful consideration and will impel you, after making any needed changes, to enact it into a statute of the State.

Respectfully submitted,

JAMES H. HAWLEY,

Governor.

Boise, February 3, 1911.

Reference of Bills.

Speaker referred the following bills to their respective committees:

H. B. No. 219—Banks and Banking.

H. B. No. 220—Charitable and Penal Institutions.

H. B. No. 221—Roads, Bridges and Ferries.

H. B. No. 222—Private Corporations.

H. B. No. 223—Judiciary.

H. B. No. 224—Revenue and Taxation.

H. B. No. 225—Roads, Bridges and Ferries.

H. B. No. 226—Education.

H. B. No. 227—State Affairs.

H. B. No. 228—Public Health.

Moved by Berry, and seconded by Johnston, that when House adjourn this morning it be until 2 p. m. today.

Motion carried.

Unanimous consent was given to return to the tenth order of business.

Introduction of Bills, Concurrent Resolutions and Joint Memorials.

The following bills were introduced.

H. B. NO. 240.

Report Idaho School Law Code Commission.

H. B. NO. 241, BY HUTTON.

An Act to regulate collection agencies and providing for the furnishing of a bond to protect their patrons; and making a violation of this law a misdemeanor.

H. B. NO. 242, BY JOHNSTON AND DAVIS.

An Act permitting Boards of County Commissioners of this State to proclaim the afternoon of any day, except Sunday, of each week between the first day of April and the first day of October, a half holiday; and providing that its observance shall not be compulsory.

First Reading of House Bills, Concurrent Resolutions and Joint Memorials.

The following House Bills were read first time in full:

H. B. No. 240, report of Idaho School Law Code Commission.

H. B. No. 241, by Hutton.

H. B. No. 242, by Johnston and Davis.

Unanimous consent was given to return to the ninth order of business.

Motions and Resolutions.

Johnston introduced the following resolution and moved its adoption:

H. C. R. NO 6, BY JOHNSTON.

Be it resolved by the House, the Senate concurring, that the time for the filing of charges as per resolution adopted by both the Senate and House be extended another five (5) days.

Seconded by Crow.

Hutton moved to amend the resolution to extend the time for filing charges to any time during this session of the Legislature.

Seconded by Gibson.

Motion lost.

Kerby moved to amend the resolution by adding the words, "and that any one may file charges."

Seconded by Morgan.

Speaker ruled the motion of Kerby out of order because it sought to amend the resolution authorizing the Joint Investigating Committee, rather than the resolution by Johnston.

Kerby appealed from the ruling of the Chair.

Roll call was demanded with the following result:

Ayes—Allred, Arthur, Baldridge, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Edgington, Elmers, Farman, Friend, Hammer, Hill, Jacobs, Johnson, Johnston, Jones, McCabe, Nielsen, Nihart, Oakes, Smith, Taylor, Thompson, Warnick, Wilson.

Nays—Dunning, Eckles, Galloway, Gibson, Hellekson, Hendricks, Holmberg, Hutton, Hyde, Jayne, Jenson, Kerby, Leaf, Morgan, Nelson, Parker, Pincock, Sanborn, Sorenson, Stephens, Terrell, Walker, Wood.

Total number of votes, 55. Ayes, 32. Nays, 23. Absent, not voting, 3.

And so the Chair was sustained.

Question was then on the adoption of House Concurrent Resolution No. 6

Motion carried, and House Concurrent Resolution No. 6 adopted.

Davis moved that the general calendar be made a special order for this afternoon.

Carried.

On motion by Walker, House took a recess until 2 p. m.

Afternoon Session.

House met pursuant to adjournment Mr. Speaker in the Chair.

Roll call showed all members present, except Featherstone, excused.

House In Committee of the Whole.

House resolved itself into Committee of the Whole for the consideration of the General Calendar. Black in the Chair.

House in Regular Session.

The Committee of the Whole submitted the following report:
Mr. Speaker:

The Committee of the Whole has had under consideration the bills on the General Calendar and makes the following recommendations:

That House Bill No. 63 be amended as follows:

Strike out all of line 4 after the word "marriage," and the first word of line 5; after the word "husband," in line 6, insert the following: "Provided, That all real and personal estate, or the rents, issues, or profits thereof, to which she becomes entitled in her own right after marriage, shall be liable for execution against her husband in so far only as the same may apply to debts contracted after marriage with any person, firm, or corporation, a resident of the State of Idaho, to the amount of two hundred dollars (\$200) for the necessities of life." Also strike out all of lines 7, 8 and 9.

And recommend that, as amended, the bill do pass.

That House Bill No. 107 remain on the Calendar until the committees to visit State Institutions make their reports.

That House Bill No. 74 be amended as follows:

That in line 15, after the word "case," there be inserted the words "either of said" and that the words "or either of them," including the two commas, which words and commas are between the words "buildings" and "shall" be stricken out.

That after the words "State of Idaho," in line 16, the following words be inserted "and provided further, that said County of Washington must accept the said conveyance within three (3) years after date thereof."

And that, as amended, the bill do pass.

That House Bill No. 142 be referred to the Judiciary Committee for amendment.

That House Bill No. 147 be referred to the Committee on Education.

That House Bill No. 51 be amended as follows:

That the words and figures "fifteen thousand dollars (\$15,000.00)" be stricken from the title thereof and the words and figures "ten thousand dollars (\$10,000.00)" be substituted therefor. That the words and figures "fifteen thousand dollars (\$15,000)" be stricken from line 3, Section 9, and the words and figures "ten thousand dollars (\$10,000)" be substituted therefor. And that the word and figures "fifteen (15)" be stricken from line 12 of Section 9 and the word and figures "ten (10)" substituted therefor. And that the word and figures "fifteen (15)" be stricken from line 5 of Section 10 and the word and figures "ten (10)" substituted therefor.

That in line 10 of Section 2, the words "the sum of five dollars per day and" be stricken out.

And that as so amended the bill do pass.

That House Bill No. 108 be amended as follows:

In lines 6 and 7, section 1, strike out the words "be for a term of two years (2)" and the words "continue and be in force until the second Monday of January, 1913," be substituted therefor.

Strike out Article 12 of Section 5 and so change numbers of succeeding articles in said Section 5 to conform therewith.

Insert between the words "commissioner" and "such," in line 76 of Article 13, Section 5, "and the State Board of Equalization."

In lines 114 and 115 of Article 19, Section 5, the words, "of the value of the gross products of all mines within this State," be stricken out.

In line 122, Article 20, Section 5, the word "their" be substituted for the word "his" and in line 124 of the same article and section the word "their" be substituted for the word "the" before the word

"judgment," and the words "of the tax commissioner" be stricken out. In line 14, Section 6, the words "be required to" be inserted between the words "may" and "testify."

That a section to be known as Section 10 be inserted between Sections 9 and 10 which shall read as follows:

"Section 10. All powers herein granted to the tax commissioner shall at all times be under the general supervision and control of the State Board of Equalization."

That Section 10 of this bill be changed to Section 11.

And that as so amended the bill do pass

That House Bill No. 113 be referred to the Committee on Roads, Bridges and Ferries

That House Bill No. 150 be referred to the Committee on Appropriations

That House Bill No. 72 be amended as follows.

Strike out in line 4 of Section 4 the words "not less"; and in line 5 of Section 4 the words and figures "than one hundred dollars (\$100) and".

By adding the following to line 8, Section 1, after the word "thereon": "Provided, That when any message or communication is offered which is couched, in whole or in part, in obscene or profane language nothing in this act contained shall be so construed as to compel any telegraph or telephone company, or any person in charge of the same, to transmit such message or communication."

By adding to the title: "And providing for the recovery of treble damages for injuries arising from a violation of this act."

And that as so amended the bill do pass.

That Senate Bill No. 27 be referred to the Committee on Appropriations.

BLACK,
Chairman.

Moved by Black and seconded by Johnson that report of the Committee of the Whole be adopted.

Carried, and report adopted.

Unanimous consent was given to return to the Seventh Order of Business.

Reports of Standing Committees.

The Committee on Printing submitted the following report:

Mr. Speaker:

Your Committee on Printing herewith report that we have had correctly printed and distributed House Bill No. 187.

The following house Bills have been read by copy, corrected and sent to the printer:

House Bills Nos. 229, 230, 231 and 232.

JONES,
Chairman.

Report accepted.

Moved by Black and seconded by Bell that House adjourn until 9 a. m., Monday morning, February 6, 1911.

Motion carried.

House adjourned.

CHARLES D. STOREY,
Speaker.

JAMES H. WALLIS,
Chief Clerk.

MONDAY, THIRTY-SIXTH DAY, FEBRUARY 6, 1911.

Morning Session.

Hall of House of Representatives,
Boise, Idaho, February 6, 1911.

House met pursuant to adjournment. Mr. Speaker in the Chair.

Prayer was offered by the Chaplain.

Roll call showed all members present.

Journal for the thirty-third day was read.

Committee on Journal submitted the following report:

Mr. Speaker:

We, your Committee on Journal, beg leave to report that we have had under consideration the Journal for the thirty-third day and have corrected the same, and move that the Journal for that day be approved.

WARNICK,
Chairman.

Report adopted and Journal for thirty-third day approved.

Special Order.

The hour of 9 a. m. having arrived, House Joint Resolution No. 12, which was made a special order for this time, was taken up for final consideration.

The question being "Shall the resolution pass?" the roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jayne, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Sanborn, Smith, Sorenson, Stephens, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Mr. Speaker.

Nays—Parker.

Total number of votes, 51. Ayes, 50. Nays, 1. Absent, not voting, 8.

And so House Joint Resolution No. 12 passed and was ordered transmitted to the Senate.

Reports of Standing Committees.

The Committee on Appropriations submit the following report:
Mr. Speaker:

We, your Committee on Appropriations, having had under consideration Senate Bill No. 27, hereby renders its report as follows: We recommended that the word "the" at the end of line 9, Section 2, be stricken out, and that the words and figures "sum of five dollars (\$5.00) per day" be stricken out of line 10, Section 2, and that the words "per diem" be stricken out of line 2, Section 6, and that the original bill, as so amended, do pass.

Also House Bill No. 157 and recommends that as amended by your Committee on Roads, Bridges and Ferries the same do pass.

BELL,
Chairman.

Report adopted.

The Committee on Judiciary submitted the following report:
Mr. Speaker:

Your Judiciary Committee having had under consideration House Bill No. 142, by Smith, return the same with the recommendation that it do pass.

FEATHERSTONE,
Chairman.

Report adopted and House Bill No 142 referred to Engrossing Committee and ordered engrossed.

The Committee on Private Corporations submitted the following report:

Mr. Speaker:

We, your Committee on Private Corporations, respectfully report that we have had under consideration House Bill No. 183, by Morgan, and report same back with the recommendation that it do pass.

Also House Bill No. 222, by Strode and Black, and report the same back with the recommendation that it be amended as follows:

In line 18, Section 6, after the words "town of.....," insert the words "County of.....," also that it be amended in line 26, Section 8, by striking out the words "Subpoena aforesaid," and insert the words, "notice as in this Act provided."

And that the bill as amended do pass.

BRADFORD,

Chairman.

Report adopted and House Bill No. 183 referred to the Engrossing Committee and ordered engrossed

The Committee on Printing submitted the following report:

Mr. Speaker.

Your Committee on Printing herewith report that we have had correctly printed and distributed the following:

House Bills Nos. 153, 212, 215, 216, 223 and 228 Amendments to House Bills Nos. 104, 50, 60, 141. House Joint Memorial No. 4.

The following have been read by copy, corrected and sent to the printer.

House Bills Nos. 235, 236, 237, 238, 239, 241 and 242. House Joint Resolution No. 13

JONES,

Chairman.

Report received.

On request of Morgan unanimous consent was given to correct printed amendment to House Bill No. 50, by changing the word "of" to "if," in line 5, so it will read; "If qualified electors of the State."

Introduction of Bills, Concurrent Resolutions and Joint Memorials.

The following bills were introduced

H. B. NO. 243, BY WOOD.

An Act to amend Section 348 of the Political Code of Idaho relating to the election of county officers.

H. B. NO. 244, BY BLACK.

An Act to amend Section 2172 of the Revised Codes of the State of Idaho in relation to the annexation of contiguous territory to cities, towns and villages.

H. B. NO. 245, BY DAVIS.

An Act prohibiting State officers, employees or appointees having anything to, directly or indirectly, with the sale or disposition of Carey Act or other public lands of this State entering or filing upon any Carey Act lands of this State; prohibiting the issuance to such persons of any certificates of entry or filing upon Carey Act Lands of this State; providing a penalty for violations of this act, and declaring an emergency.

H. B. NO. 246, BY DAVIS (BY REQUEST).

An Act to amend an Act entitled "An Act to amend Section 10 of the Revised Codes of Idaho by adding Decoration Day and Labor Day to

the list of holidays now observed," approved May 5, 1909, by adding Idaho Pioneer Day as a holiday.

H. B. NO. 247, BY SMITH AND TAYLOR.

An Act appropriating the sum of two thousand six hundred seventy-one dollars and sixteen cents (\$2,671.16) for the purchase of what is known as the Heyburn toll wagon bridge across Snake River, situate between the town of Heyburn in Lincoln County and Burley in Cassia County, Idaho; providing when and how said money shall be paid; providing that any conveyance of title to said bridge shall be first approved by the Attorney General for Idaho; providing for a report by the State Engineer upon the condition of said bridge at the time of conveyance thereof; and providing that no warrant in payment of said bridge shall be drawn by the State Auditor if, in the report of the State Engineer, it appears that said bridge is not in as good condition as at the passage of this Act, reasonable wear and tear excepted.

H. B. NO. 248, BY KERBY (BY REQUEST).

An Act providing for the issuance and sale of State bonds in the sum of six thousand dollars (\$6,000) and appropriating the proceeds thereof for the construction of a wagon road between a point at or near the upper end of what is known and commonly called the "Stolle Meadows," Idaho County, State of Idaho, and the Deadwood Basin in Boise County, State of Idaho; and authorizing the levy of an ad valorem tax to provide a sinking fund for the payment of such bonds at maturity and the accruing interest thereon; providing for a commission which shall have general control of the construction of said wagon road and of the disbursement of this appropriation, and prescribing their powers and duties as such; and providing when and how the appropriation shall be expended and disbursed.

H. J. R. NO. 14, BY DAVIS.

A Joint Resolution directing the Representatives of the State of Idaho in Congress to use every effort within their power to secure the enactment of a law by Congress changing the term of residence upon homestead lands of the State of Idaho from five to three years.

H. J. M. No. 5, BY BLACK.

Memorializing the Congress of the United States to grant relief to a large number of citizens of the State of Idaho who have settled upon lands under the homestead laws of the United States in the years 1902, 1903 and 1904, prior to the proclamation and act creating the Coeur d'Alene National Forest Reserve, within which said lands are now located, in the State of Idaho.

Be It Resolved By the House of Representatives of the State of Idaho, the Senate Concurring:

That the Congress of the United States be memorialized as follows:

Whereas, A large number of citizens of the State of Idaho settled upon land under the homestead laws of the United States, in the years 1902, 1903 and 1904, prior to the Proclamation and Act creating the Coeur d'Alene National Forest, within which said lands are now located, in the State of Idaho;

And, whereas, Protests and contests have been filed by the officials of said reserve against practically all of said settlers' entries, with a view of having said entries cancelled and the lands covered, thereby become a portion of said reserve;

And, whereas, These settlers have undergone great hardships for upwards of eight years in homesteading said lands, owing to settled upon lands under the homestead laws of the United States, in the years 1902, 1903 and 1904, prior to the Proclamation and Act

creating the Coeur d'Alene National Forest, within which said lands are now located, in the State of Idaho,

And, whereas, All the homes, improvements and effects of said settlers on said lands have been entirely destroyed by the forest fires of August, 1910, some of them losing their lives in an attempt to save their homes from destruction, and all the timber upon their claims killed by such fires and the same will rot and become worthless, on account of the worms and pests that follow in the wake of forest fires, unless the settlers are permitted to cut and dispose of such timber at an early date;

And, whereas, Said settlers have petitioned Congress for relief on account of such protests, contests and fires, and asked permission to cut and sell said timber from said lands in order to save such timber from going to waste on account of such fires having burned over such timber lands;

And, whereas, A great many of these settlers have offered final proof on the said lands, and their proofs having been satisfactory, have received their receiver's receipts and final certificates, but their patent is not issued owing to a blanket protest having been filed against said lands and entrymen by the Forestry Department, preventing an early determination of their rights,

Now, therefore, be it resolved, by the Legislature of the State of Idaho, That the Congress of the United States is hereby requested to enact such legislation as will grant the relief prayed for by such settlers on any such lands; and,

Be it further resolved, That the Secretary of State of Idaho is hereby instructed to immediately forward copies of this memorial to the Senate and House of Representatives of the United States, and to each of your Representatives in Congress.

H. J. M. NO. 6, BY HILL AND PINCOCK.

Be It Resolved By the House of Representatives of the State of Idaho, the Senate Concurring.

That the Congress of the United States be memorialized as follows:

Whereas, Under the present rules formulated by the National Forestry officials governing and controlling the use of the National Forests with reference to removing therefrom dead timber, it is very inconvenient and hard for the settlers who desire to use this dead timber to obtain the same, because the procedure necessary to go through is very lengthy, undesirable and costly to users thereof;

And, whereas, said dry timber, by laying in the National Forests exposes the growing timber to the danger of fire and thereby is a menace to the National Forest, and should be removed;

Now, therefore, be it resolved, That the Congress of the United States is hereby requested to abolish all rules of the Forestry Service governing the removal of dead timber by the settlers so as to make it as convenient as possible to remove the same from the National Forest for use by the settlers, and thereby favor not only the settlers, but promote the welfare and protection of the National Forest of the United States.

Unanimous consent was given to return to the Seventh Order of Business

Report of Standing Committees.

The Judiciary Committee submitted the following report:

Mr. Speaker:

The Judiciary Committee having had under consideration House Bills Nos 207, 208, 209, 210 and 211, hereby renders its report and recommends that the said bills and each of them do pass.

CROW,
Acting Chairman.

Report adopted and House Bills Nos. 207, 208, 209, 210 and 211 referred to the Engrossing Committee and ordered engrossed.

Motions and Resolutions.

Davis moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that House Joint Resolution No. 14 be read the first and second times by title and third time at length, section by section, and be put upon its final passage.

Seconded by Crow.

The question being on the suspension of the rules, roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Eimers, Farmin, Featherstone, Friend, Gibson, Glennon, Hellekson, Hendricks, Hill, Holmberg, Hyde, Jacobs, Jayne, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 53. Ayes, 53. Nays, none. Absent, not voting, 6.

And so the rules were suspended, and House Joint Resolution No. 14 was read first and second times by title, and third time at length, section by section, for final action.

The question being "Shall the resolution pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hendricks, Hill, Holmberg, Hyde, Jacobs, Jayne, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Sanborn, Smith, Sorenson, Stephens, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Hellekson.

Total number of votes, 54. Ayes, 53. Nays, 1. Absent, not voting, 5.

And so House Joint Resolution No. 14 passed and was ordered transmitted to the Senate.

Black moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that House Joint Memorial No. 5 be read the first and second times by title and the third time at length, section by section, and be put upon its final passage.

Seconded by Thompson.

The question being on the suspension of the rules, the roll was called, with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hendricks, Hill, Holmberg, Hyde, Jacobs, Jayne, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Sanborn, Smith, Sorenson, Stephens, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Hellekson.

Total number of votes, 54. Ayes, 53 Nays, 1. Absent, not voting, 5

And so the rules were suspended and House Joint Memorial No. 5 was read first and second times by title and third time at length, section by section, for final action.

The question being "Shall the Memorial Pass?" the roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Farmin, Featherstone, Friend, Galloway, Glennon, Hellekson, Hendricks, Hill, Holmberg, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None

Total number of votes, 55. Ayes, 55. Nays, none. Absent, not voting, 4.

And so the memorial passed and House Joint Memorial No. 5 was ordered transmitted to the Senate.

Hill moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that House Joint Memorial No. 6 be read the first and second times by title and the third time at length, section by section, and be put upon its final passage.

Seconded by Walker.

The question being on the suspension of the rules the roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Edgington, Farmin, Featherstone, Friend, Gibson, Glennon, Hellekson, Hendricks, Hill, Holmberg, Hyde, Jacobs, Jaynes, Jenson, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None

Total number of votes, 54. Ayes, 54. Noys, none. Absent, not voting, 5.

And so the rules were suspended and House Joint Memorial No. 6 was read first and second times by title, and third time at length, section by section, for final passage.

The question being, "Shall the memorial pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Farmin, Featherstone, Friend, Gibson, Glennon, Hellekson, Hendricks, Hill, Holmberg, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 55. Ayes, 55. Nays, none. Absent, not voting, 4.

And so House Joint Memorial No. 6 passed and was ordered transmitted to the Senate

Reports of Standing Committees.

The Committee on Engrossed and Enrolled Bills submitted the following report:

Mr. Speaker:

We, your Committee on Engrossed and Enrolled Bills, report House Bills Nos. 130 and 19 correctly engrossed.

GLENNON,
Chairman.

Report adopted and House Bills Nos. 130 and 19 filed for third reading.

Message From the Senate.

The following message was received from the Senate:

Mr. Speaker:

I have the honor to transmit herewith Senate Bills Nos. 12 and 18, and House Bill No. 120 which have passed the Senate.

Also Senate Bill No. 5, by Potts, which has passed the Senate.

Also have the honor to inform you that the Senate has concurred in the House amendments to Senate Bill No. 19, and has passed the same bill as amended

CHARLES J. LISLE,
Assistant Secretary of Senate.

Report received, House Bill No. 120 referred to the Enrolling Committee and ordered enrolled. Senate Bills Nos. 12, 18 and 5 filed for first reading.

First Reading of House Bills, Concurrent Resolutions and Joint Memorials.

The following bills were read first time in full:

H. B. No. 243, by Wood.

H. B. No. 244, by Black.

H. B. No. 245, by Davis.

H. B. No. 246, by Davis (by request).

H. B. No. 247, by Smith and Taylor.

H. B. No. 248, by Kerby (by request).

Second Reading and Reference of House Bills, Concurrent Resolutions and Joint Memorials.

The following bills were read second time in full:

H. B. No. 229, by Terrell (by request).

H. B. No. 230, by Allred.

H. B. No. 231, by Glennon and Sorenson.

H. B. No. 232, by Black.

H. B. No. 233, by Black.

H. B. No. 234, by Stephens and Hellekson.

H. B. No. 235, by Jones.

H. B. No. 236, by Terrell, Morgan, Glennon and Crow.

H. B. No. 237, by Committee on Public Health.

H. B. No. 238, by Taylor.

H. B. No. 239, by Galloway.

H. B. No. 240, Report Idaho School Law Commission.

H. B. No. 241, by Hutton.

H. B. No. 242, by Johnston and Davis.

H. J. R. No. 13, by Hanmer.

Second Reading of Printed Amendments to House Bills.

Printed amendments to House Bills Nos. 41 and 68 were read second time in full.

Reference of Bills.

Speaker referred the following bills to their respective committees:

H. J. R. No. 13, Judiciary.

H. B. No. 229, Judiciary.
H. B. No. 230, Judiciary.
H. B. No. 231, Judiciary.
H. B. No. 232, Private Corporations.
H. B. No. 234, State Affairs.
H. B. No. 235, Roads, Bridges and Ferries.
H. B. No. 236, Judiciary.
H. B. No. 237, Public Health.
H. B. No. 238, State Affairs.
H. B. No. 239, Revenue and Taxation.
H. B. No. 241, State Affairs.
H. B. No. 242, State Affairs.

Third Reading of House Bills, Concurrent Resolutions and Joint Memorials and Final Action Thereon.

HOUSE BILL NO. 130, BY BURRELL, was read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result

Ayes, Alfred, Baldrige, Bell, Berry, Bradford, Bradley, Burrell, Crow, Davis, Edgington, Farmin, Featherstone, Gibson, Hellekson, Hendricks, Hill, Holmberg, Hyde, Jenson, Johnson, Johnston, Jones, Leaf, Moigan, Nelson, Nielsen, Oakes, Parker, Smith, Sorenson, Taylor, Terrell, Thompson, Warnick, Mr. Speaker.

Nays—Arthur, Bower, Dunning, Eckles, Friend, Sanborn, Stephens, Walker, Wilson.

Total number of votes, 44. Ayes, 35 Nays, 9. Absent, not voting, 15.

And so the bill passed, title was approved, and House Bill No. 130 was ordered transmitted to the Senate.

First Reading of Senate Bills, Concurrent Resolutions and Joint Memorials.

The following Senate Bills were read first time in full:

S. B. No. 50, by Freehafer.

S. B. No. 47, by Mines and Mining Committee

S. B. No. 52, by Poole.

S. B. No. 65, by Coates, Eckert, Gooding, Haight, Lee, Page, Potts, Preston, Shawhan, St. Clair, Williams and Yates.

S. B. No. 80, by Gooding.

S. B. No. 42, by Lee, Hornibrook, Gooding, Coates and Haight.

S. B. No. 66, by Potts.

S. B. No. 57, by Potts

S. B. No. 56, by Lee.

S. B. No. 46, by Potts.

Second Reading and Reference of Senate Bills, Concurrent Resolutions and Joint Memorials.

The following Senate Bills were read second time in full:

S. B. No. 3, by Macbeth.

S. B. No. 4, by Coates

Reference of Bills.

Speaker referred the following bills to their respective committees:

S. B. No. 3—Committee on Livestock.

S. B. No. 4—Committee on Live Stock

Third Reading of Senate Bills, Concurrent Resolutions and Joint Memorials, and Final Action Thereon.

Davis moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section

15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that Senate Bill No 47, the same having been engrossed, be read the first and second times by title, and the third time at length, section by section, and be put upon its final passage

Seconded by Crow.

The question being on the suspension of the rules, roll was called, with the following result

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Edgington, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr Speaker

Nays—Eckles, Kerby, Parker.

Total number of votes, 57 Ayes, 54. Nays, 3 Absent, not voting 2

And so the rules were suspended, and Senate Bill No. 47, by Mines and Mining Committee, was read first and second times by title, and third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called, with the following result.

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hammer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr Speaker

Nays—None.

Total number of votes, 56 Ayes, 56 Nays, none. Absent, not voting, 3.

And so the bill passed, title was approved, and Senate Bill No 47 was ordered transmitted to the Senate

Unanimous consent was given to return to the tenth order of business.

Introduction of Bills, Concurrent Resolutions and Joint Memorials.

Davis introduced the following concurrent resolution and moved its adoption.

H C. R. NO. 7, BY DAVIS.

Whereas, There is a controversy between this State and the National Government involving the right and power of this State to take possession of and administer unsurveyed lands granted to this State by the Government, and the right and power of this State to make selections of indemnity lands in lieu of lands lost to the State for various reasons, and such controversy involves the future material welfare of the charitable, penal, common school and other educational institutions of this State, and the lawful exercise of governmental control over large areas of this State, and it is for the best interests of all concerned that the controversy be speedily adjusted;

Therefore, be it resolved, That in order to bring about an adjustment of such controversy and all controverted questions relating to lands, between the State and Government, a committee to be composed of one competent person to be selected by the Governor; the Attorney General, or some deputy to be selected by him; one member of the House, to be selected by the Speaker, and one member of

the Senate, to be selected by the President, and on prominent citizen of the State of Idaho to serve without pay, to be selected by the President and the Speaker and to act in an advisory capacity to the officers of the State, be appointed forthwith.

That said committee be and is hereby granted power and authority and directed to confer with the proper officials of the Government at Washington, in relation to all such controversies, and to bring about an adjustment of the same by submitting to the Legislature of Idaho a report in writing, containing its recommendations in the premises, which acts and adjustment shall be subject to the final approval of and adoption by the Legislature after said report is so made to the Legislature by the committee. The necessary expenses of the members of said committee, except the advisory member, shall be a charge against the State of Idaho and shall be paid out of the fund created for the expenses of the Eleventh Session of the Legislature of Idaho.

Seconded by Johnston

Roll call was demanded on the adoption of House Concurrent Resolution No 7, with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Black, Bradford, Burrell, Ceaser, Crow, Davis, Farmin, Featherstone, Glennon, Hanmer, Johnson, Johnston, Nielsen, Smith, Taylor, Terrell, Thompson, Mr. Speaker.

Nays—Berry, Bower, Bradley, Dunning, Eckles, Edgington, Fried, Galloway, Gibson, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nihart, Oakes, Parker, Sanborn, Sorenson, Stephens, Walker, Wilson, Wood

Total number of votes, 55. Ayes, 22 Nays, 33. Absent, not voting, 4

And so House Concurrent Resolution No. 7 was declared lost.

Unanimous consent was given Bradford to withdraw House Bill No. 218.

Unanimous consent was given to return to the Tenth Order of Business.

Introduction of Bills, Concurrent Resolutions and Joint Memorials.

The following bills were introduced.

H. B. NO 249, BY JOHNSTON AND DAVIS.

An Act prohibiting the giving of immoral plays, exhibitions and entertainments, and the use and leasing of real property therefor; providing a penalty for the violation thereof, and providing that certain public officers shall enforce the provisions of this law, and providing penalties for their failure so to do.

H. B. NO 250, BY GIBSON

An Act authorizing the State Board of Land Commissioners of the State of Idaho to extend the time of final payment due on all certificates of sale for State school lands in the year 1911 for a period of three years, providing that interest on such final payments shall be paid in the same manner as heretofore; and declaring an emergency.

H. B. NO 251, BY BRADFORD, CROW, CEASER, STOREY AND WILSON.

An Act prescribing the qualifications of voters, and providing the manner of holding elections in irrigation districts, and for the appointment of officers to conduct such elections, and the giving of notice thereof; and amending Sections 2375, 2376 and 2379 of the Idaho Revised Codes and adding to Chapter 1, Title 14, of the Idaho Revised Codes, Section 2375a.

H. B. NO. 252, BY BRADFORD.

An Act relating to the issuance of permits for the appropriation of water where the works to be constructed under such permits or the point of diversion or place of intended use are situated without the State of Idaho.

H. B. NO. 253, BY BRADFORD, CROW, CEASER, STOREY AND WILSON.

An Act to amend Sections 2385 and 2394 of the Political Code of Idaho.

H. B. NO. 254, BY CROW.

An Act to give a right of action against an employer for injury or death resulting to his agents, employees or servants, either from the employer's negligence or from negligence of some of his other employees, servants or agents; and to repeal all acts and parts of acts in conflict therewith.

H. B. NO. 255, BY FEATHERSTONE.

An Act for the regulation and control of all fraternal and benevolent societies organized within the State of Idaho; providing for the authorization and control of foreign associations and societies of like nature; providing for the examination of domestic and foreign fraternal and benevolent societies; exempting certain societies from the provisions of this Act; providing for examination and other fees; providing for a standard of valuation of certificates, providing penalties for any violation of the provisions of this Act; and repealing Sections 2889 to 2904, inclusive, of the Revised Codes of the State of Idaho.

H. B. NO. 256, BY FEATHERSTONE.

An Act defining the business of insurance; providing for the regulation of insurance business of persons not incorporated, and requiring that all such business be transacted in compliance with the insurance laws of the State of Idaho.

H. B. NO. 257 (SUBSTITUTE FOR H. B. NO. 218), BY BRADFORD

An Act defining a lottery, and to make the same, and acts and schemes to effect the same, unlawful, declaring the same an offense; also providing that property offered for sale or distribution in violation of the Act shall be forfeited to the State; and declaring the procedure to that end; and making exemptions therefrom.

First Reading of House Bills, Concurrent Resolutions and Joint Memorials.

The following House Bills were read first time in full:

H. B. No. 249, by Johnston and Davis.

H. B. No. 250, by Gibson.

H. B. No. 251, by Bradford, Crow, Ceaser, Storey and Wilson.

H. B. No. 252, by Bradford.

H. B. No. 253, by Bradford, Crow, Ceaser, Storey and Wilson.

H. B. No. 254, by Crow.

H. B. No. 255, by Featherstone.

H. B. No. 256, by Featherstone.

H. B. No. 257, by Bradford (substitute for H. B. No. 218).

Reports of Standing Committees.

Committee on Enrolled and Engrossed Bills submitted the following report:

Mr. Speaker:

We, your Committee on Engrossed and Enrolled Bills, beg leave to report House Bill No. 132 correctly engrossed.

GLENNON,
Chairman.

Report received and House Bill No. 132 filed for third reading.
Moved by Morgan and seconded by Hellekson that House adjourn
until 9 a. m. tomorrow morning.

Motion carried
House adjourned.

CHARLES D. STOREY,
Speaker.

JAMES H. WALLIS,
Chief Clerk

TUESDAY, THIRTY-SEVENTH DAY, FEBRUARY 7, 1911.

Morning Session.

Hall of the House of Representatives,
Boise, Idaho, February 7, 1911.

House met pursuant to adjournment Mr. Speaker in the chair.

Prayer was offered by the Chaplain.

Roll call showed all members present

Journal for the thirty-sixth day was read.

The Committee on Journal submitted the following report:

Mr. Speaker.

We, your Committee on Journal, beg leave to report that we have had under consideration the Journal for the thirty-sixth day, and have corrected the same, and move that the Journal for that day be approved.

WARNICK,
Chairman.

Report adopted, and Journal for thirty-sixth day approved.

Petitions and Communications.

Morgan presented petition of J. L. Vickery and nineteen others asking for the passage of the initiative and referendum.

Referred to Committee on Privileges and Elections.

Reports of Standing Committees.

The Committee on Fish and Game submitted the following report:

Mr. Speaker:

We, your Committee on Fish and Game, having had under consideration House Bill No. 79, refer the same back to the House and herewith submit a substitute therefore

FARMIN,
Chairman.

Report accepted, and House Bill No. 258, substitute for House Bill No. 79, filed for first reading.

The Committee on Roads, Bridges and Ferries submitted the following report:

Mr. Speaker.

We, your Committee on Roads, Bridges and Ferries beg leave to report as follows

Having had under consideration House Bill No. 214, by Jayne, recommend that the same do pass.

GLENNON,
Chairman.

Report accepted and House Bill No. 214 referred to Engrossing Committee and ordered engrossed.

The Committee on Printing submitted the following report.

Mr. Speaker:

Your Committee on Printing herewith report that we have had correctly printed and distributed the following.

House Bills Nos. 179, 198, 193, 201, 204, 206, 207, 208, 210, 213, 214, 217, 218, 219, 225 and the amendments to House Bills No. 94.

The following have been read by copy, corrected and sent to the printer:

House Bills Nos. 234, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256 and 257. House Joint Resolution No. 14. House Joint Memorial Nos. 5 and 6.

JONES,
Chairman.

Report accepted.

The Committee on Appropriations submitted the following report:
Mr. Speaker:

Your Committee on Appropriations, having had before it House Bill No. 160, hereby renders its report as follows: That the bill do pass.

Also House Bill No. 179, and recommends that the same do pass.

Also House Bill No. 150, with the following amendments: That in title, "eight thousand dollars (\$8,000)" be stricken out and twelve thousand dollars (\$12,000)" be inserted in its place.

Section 2. In lines 11 and 12, after the word "receive," the words "the sum of five dollars (\$5) per day and "be stricken out.

Section 9. Line 11, "seven (7)" be stricken out and "six (6)" be inserted.

Section 10, line 6, the words "seven (7)" be stricken out and "forty (40)" be inserted.

Section 16. Lines 3 and 4, after the word "than," "eight thousand dollars (\$8,000)," be stricken out and "twelve thousand dollars (\$12,000)" be inserted.

And recommends that the same as so amended do pass.

BELL,
Chairman.

Report adopted and House Bill Nos. 160 and 179 referred to Engrossing Committee and ordered engrossed.

The Committee on Charitable and Penal Institutions presented the following report:

Mr. Speaker:

Your Committee on Charitable and Penal Institutions having had under consideration House Bill No. 181, by Oakes, hereby renders its report as follows: That in line 7 of Section 1, the words and figures "one hundred twenty-five dollars (\$125)" be stricken out and the words and figures "one hundred dollars (\$100)" be substituted therefor. That in line 2 of Section 5 the words and figures "three thousand dollars (\$3,000)" be stricken out and that the words and figures "twenty-four hundred dollars (\$2,400)" be substituted therefor; that in Section 5, the words after the word "stated," in line 3, be stricken out; also all of lines 4, 5 and 6, in Section 5, be stricken out and that as so amended the bill do pass.

Also House Bill No. 119, by Holmberg, and recommends that the bill do pass.

WILSON,
Chairman.

Report accepted, and House Bill No. 119 referred to Engrossing Committee and ordered engrossed.

The Committee on Railroads, Carriers and Other Public Corporations submitted the following report:

Mr. Speaker:

We, your Committee on Railroads, Carriers and Other Public Corporations, having had under consideration House Bill No. 212, by Warnick, report the same back to the House with the recommendation that it be placed on the General Calendar; also House Bill No. 177, by Morgan, and report the same back to the House with the

recommendation that it be amended by striking out all of Section 2 after the word misdemeanor, and that it do pass, as amended.

Also House Bill No. 118 (substitute for House Bill No. 30, by Hendricks), and recommend that the same be amended as follows:

At the end of line 2 in the title after the word "guard" insert the following: "Providing for fencing the same at the expense of said companies," and in the fourth and fifth lines of the title erase the words "and the expense of such fencing." In the sixth line of Section 1, insert the word "or" between the words "through" and "along," strike out the words "or adjoining" and insert the word "adjoining" between the word "or" and "cultivated," making line 6 read as follows. "Passing through or along enclosed or adjoining fields."

In line 27, section 1, strike out the words "or upon lands or enclosures," and we recommend that the bill do pass as amended.

DAVIS,
Chairman.

Report accepted

The Judiciary Committee submitted the following report.

Mr. Speaker:

Your Judiciary Committee having had under consideration House Bill No. 112, by Smith, return the same to the House with the following recommendations.

In line 8, Section 1, change the words "contract" to "record;" and add the following: "This act shall apply in all cases where such printed record books shall have been heretofore supplied as provided herein." And that as so amended the bill do pass.

FEATHERSTONE,
Chairman.

Report accepted.

The Committee on Engrossed and Enrolled Bills submitted the following report.

Mr. Speaker:

We, your Committee on Engrossed and Enrolled Bills, report House Bills Nos. 207, 208, 210 and 211 correctly engrossed

GLENNON,
Chairman.

Report accepted and House Bills Nos. 207, 208, 210 and 211 filed for third reading

The Committee on Medicine, Surgery and Pharmacy submitted the following report:

Mr. Speaker:

We, your Committee on Medicine, Surgery and Pharmacy, respectfully report that they have had under consideration House Bill No. 204, by Smith, and No. 190, by Friend, and recommend that the bills do pass.

SMITH,
Chairman.

Report accepted and House Bills Nos. 204 and 190 referred to Engrossing Committee and ordered engrossed.

The Committee on Banks and Banking submitted the following report:

Mr. Speaker:

We, your Committee on Banks and Banking, respectfully report that we have had under consideration House Bill No. 219 and recommend that it do pass.

McCABE,
Chairman.

Report accepted and House Bill No. 219 referred to Engrossing Committee and ordered engrossed.

Motions and Resolutions.

Hutton introduced the following resolution and moved its adoption:

H. C. R. NO. 7, BY HUTTON.

Be it resolved by the House of Representatives, the Senate concurring, that the minority members of the House and Senate Joint Investigating Committee be, and they are, hereby empowered to employ a competent attorney to examine witnesses who may appear before the Committee and to advise as to the orderly introduction of evidence in support of the charges under consideration

The motion to adopt House Concurrent Resolution No. 7 was seconded by Morgan.

Roll call was demanded on the adoption of the resolution with the following result:

Ayes—Dunning, Eckles, Friend, Galloway, Gibson, Glennon, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jayne, Kerby, Leaf, Morgan, Nelson, Parker, Sorenson, Stephens, Strode, Terrell, Walker, Wilson, Wood.

Nays—Allred, Baldridge, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Eimers, Farmin, Hanmer, Jacobs, Johnson, Jones, McCabe, Nielsen, Nihart, Oakes, Sanborn, Smith, Taylor, Thompson, Warnick, Mr. Speaker.

Total number of votes, 53. Ayes, 25. Nays, 28. Absent, not voting, 6.

And so the resolution failed to pass.

Introduction of Bills, Concurrent Resolutions and Joint Memorials.

The following bills were introduced:

H. B. NO. 258 (SUBSTITUTE FOR H. B. NO. 79), BY JOHNSON, JAYNE, SANBORN, SORENSON AND STEPHENS, COMMITTEE ON FISH AND GAME.

An Act to prevent trespassing on certain cultivated, occupied or enclosed land for the purpose of hunting certain game birds and animals, and to prevent rifle, pistol and revolver shooting upon or across certain cultivated, occupied or enclosed land; and declaring a violation of this Act to be a misdemeanor.

H. B. NO. 259, BY WARNICK.

An Act authorizing the Board of Regents of the University of Idaho to purchase certain specimens and curios obtained from the forests of Idaho to be placed in the Department of Forestry in said University; and making an appropriation of seven hundred (\$700) dollars to carry out the provisions of this Act.

H. B. NO. 260, BY CROW.

An Act to provide for the listing, assessment and taxation of the property of car companies whose cars are used by railroads running in, into or through this State; and to provide penalties for failure to list such property for purposes of assessment and taxation.

H. B. NO. 261, BY CROW.

An Act to provide for the listing, assessment and taxation of the property of express companies; and to provide penalties for failing to list such property for purposes of assessment and taxation.

H. B. NO. 262, BY CROW.

An Act authorizing the Governor, the Attorney General, the Senate and House of Representatives to submit public questions to the Supreme Court for determination, and directing the publication in the report of said court of decisions so rendered; and declaring an emergency.

H. B. NO. 263, BY CROW AND CEASER.

An Act relating to the organization and powers of corporations other than those for the purpose of profit, and declaring an emergency.

H. B. NO. 264, BY TERRELL.

An Act amending Sections 875 and 876 of the Political Code of Idaho relative to highways.

H. B. NO. 265 (SUBSTITUTE FOR H. B. NO. 153), BY OAKES.

An Act to amend Section 2784 of the Revised Codes of the State of Idaho, as amended by an Act approved February 20, 1909, amending Section 2784 of the Revised Codes of the State of Idaho, providing for an annual license fee and the filing of an annual statement upon the part of corporations doing business in the State of Idaho.

H. B. NO. 266, BY WALKER.

An Act requiring any person, railway corporation or company operating a line of railway in the State of Idaho to equip its locomotive engines with electric headlights of not less than fifteen hundred (1500) candle power without the aid of a reflector, or other headlights of not less than fifteen hundred (1500) candle power without the aid of a reflector, and providing a penalty for the violation of this Act.

H. B. NO. 267, BY KERBY.

An Act to provide for putting stone walls and stone slabs, with names cut in letters, around the graves of George Grimes, Thomas Healy, J. Grossclose, Munday, Hugh, Wilhelm and Dannel Crook, who were murdered by hostile Indians in Boise County, Idaho

H. B. NO. 268, BY BLACK

An Act providing for the issuance and sale of State bonds in the sum of one hundred thousand (\$100,000) dollars, and appropriating the proceeds thereof for the construction and macadamizing of about sixteen (16) miles of public highway, known as the Apple Way, extending from the Idaho and Washington line at Spokane Bridge, Washington, easterly to the city limits of the City of Coeur d'Alene, all of said road being located in Kootenai County, Idaho; authorizing the levy of an annual ad valorem tax to provide a sinking fund for the payment of such bonds at maturity and the interest thereon as the same becomes due, providing that the cost and fair value of the constructing and macadamizing of said road shall be not less than one hundred thousand (\$100,000) dollars, providing for a commission to have general control over the construction and macadamizing of said road and of the disbursement of the appropriation made by this Act

H. B. NO. 269, BY EDGINGTON (BY REQUEST).

An Act to amend Sections 1332, 1333, 1334, 1336, 1337 and 1338 of the Revised Codes of Idaho in relation to bee inspection.

Messages From the Senate.

The following message was received from the Senate:

Mr. Speaker:

I have the honor to transmit herewith Senate Joint Memorial No. 3, Senate Bill No. 73, Senate Bill No. 58 and House Bill No. 184 which have passed the Senate

Also House Joint Memorial No. 5, by Black, which has been adopted by the Senate

CHARLES J. LISLE,
Assistant Secretary of Senate

Report received, and House Joint Memorial No. 5, and House Bill

No. 184 ordered enrolled. Senate Bills Nos. 73 and 58 and Senate Joint Memorial No. 3 filed for first reading.

First Reading of House Bills, Concurrent Resolutions and Joint Memorials.

The following bills were read first time in full:

H. B. No. 258, by Johnson, Jayne, Sanborn, Sorenson and Stephens (substitute for House Bill No. 79).

H. B. No. 259, by Warnick.

H. B. No. 260, by Crow.

H. B. No. 261, by Crow.

H. B. No. 262, by Crow.

H. B. No. 263, by Crow and Ceaser.

H. B. No. 264, by Terrell.

H. B. No. 265, by Oakes.

H. B. No. 266, by Walker.

H. B. No. 267, by Kerby.

H. B. No. 268, by Black.

H. B. No. 269, by Edgington (by request).

Second Reading of Printed Amendments to House Bills.

Printed amendments to House Bills Nos. 141, 60, 50 and 104 were read second time in full.

Printed amendments to House Bills Nos. 141, 60, 50 and 104, together with original bills referred to the Engrossing Committee, and ordered engrossed.

Speaker in the presence of the House signed Senate Concurrent Resolution No. 5, and Senate Bills Nos. 48 and 16.

Second Reading and Reference of House Bills, Concurrent Resolutions and Joint Memorials.

The following House Bills were read second time in full:

H. B. No. 243, by Wood.

H. B. No. 244, by Black.

H. B. No. 245, by Davis.

H. B. No. 246, by Davis (by request).

H. B. No. 247, by Smith and Taylor.

H. B. No. 248, by Kerby (by request).

H. B. No. 249, by Johnston and Davis.

H. B. No. 250, by Gibson.

H. B. No. 251, by Bradford, Crow, Ceaser, Storey and Wilson.

H. B. No. 252, by Bradford.

H. B. No. 253, by Bradford, Crow, Ceaser, Storey and Wilson.

H. B. No. 254, by Crow.

H. B. No. 255, by Featherstone.

H. B. No. 256, by Featherstone.

H. B. No. 257 (substitute for H. B. No. 218), by Bradford.

Reference of Bills.

Speaker referred the following bills to their respective committees:

H. B. No. 243, State Affairs

H. B. No. 244, Cities, Towns and Other Municipal Corporations.

H. B. No. 245, Judiciary.

H. B. No. 246, State Affairs.

H. B. No. 247, Appropriations.

H. B. No. 248, Roads, Bridges and Ferries.

H. B. No. 249, Privileges and Elections.

H. B. No. 250, State Affairs.

H. B. No. 251, Irrigation, Reservoirs and Reclamation.

H. B. No. 252, Irrigation, Reservoirs and Reclamation.

H. B. No. 253, Irrigation, Reservoirs and Reclamation.

H. B. No. 254, Judiciary.

H. B. No. 255, Private Corporations.

H. B. No. 256, Private Corporations.

H. B. No. 257, State Affairs

Unanimous consent was given to return to the seventh order of business.

Reports of Standing Committees

The Judiciary Committee submitted the following report:

Mr. Speaker:

The Judiciary Committee having had under consideration House Bill No. 223, by Crow, return the same with the recommendation that it do pass.

Also Senate Bill No. 11, by Whitcomb, return same with the recommendation that it do pass.

Also House Bill No. 206, by Davis, return same with the recommendation that it do pass.

Also House Joint Resolution No. 7, by Strode, return same to the House without recommendation, at the request of the author.

Also House Bill No. 215, by Strode, (by request) return same to the House without recommendation.

Also House Bill No. 173, by Crow, return same with the recommendation that it do pass

Also House Bill No. 172, by Crow, return same with the recommendation that it do pass.

FEATHERSTONE,

Chairman.

Report adopted, and House Bills Nos. 223, 206, 173 and 172 referred to the Engrossing Committee to be engrossed.

Senate Bill No. 11 filed for third reading.

The Committee on Public Health submitted the following report.

Mr. Speaker:

We, your Committee on Public Health, to whom you referred House Bill No. 186, beg leave to report as follows:

That the bill do pass.

Also House Bill No. 185, and report as follows:

The committee recommend that Section 3, the emergency clause, be stricken out, and as thus amended, the bill do pass

CROW,

Chairman.

Report adopted and House Bill No. 186 ordered engrossed.

The Committee on Public Health submitted the following report:

Mr. Speaker:

Your Committee on Public Health, to whom was referred House Bill No. 83, by Jayne, report as follows:

The committee recommend that the bill be amended as follows:

Insert in the title in the second line after the word "in" and before "the" following words: "cities of 5000 inhabitants or more in."

Strike out at the end of line 2 the word "or" and the word "towns" at the beginning of line 3.

Strike out the words "or towns" in line 1 of Section 3.

Strike out the words "or the Board of Trustees" in line 7 of Section 3, and also the words "or towns" in the same line.

In line 8, Section 3, change the words "one year" to "two years."

In line 10 strike out the words "or towns."

In line 12, Section 4, strike out the words "or towns"

In line 15 of Section 4 strike out the words "or towns."

Strike out the word "or" at the end of line 16, and the word "town" at the beginning of line 17 of the same section.

Strike out the words "or towns" in line 1 of Section 5

Strike out the words "or by law" in line 2, Section 5

Strike out the words "or towns" in line 5, Section 5.
Strike out the words "or towns," line 5, Section 7.
And recommend that the bill, as thus amended, do pass.

CROW,
Chairman.

Report accepted.

The Committee on Public Health submitted the following report:

Mr. Speaker:

Your Committee on Public Health, to whom was referred House Bill No. 187, report as follows:

The Committee recommend that the bill be amended as follows:

In line 6, Section 13, strike out the word "and" and insert the word "on," and between the words "weight" and "stamped" insert the word "plainly." And after the word label in line 7, Section 13, insert the words "in letters not less than a half inch high."

Line 1, Section 14, strike out the words and figures "two (2) pounds" and insert the words "not less than 16 ounces."

In line 3, Section 14, strike out the words "half and quarter" and insert in lieu thereof "and half."

In line 1 of Section 15, between the words "of" and "shall," insert the word "butter."

In line 4, Section 15, strike out the words "be made upon a label attached thereto," and insert the words "be distinctly printed on the wrapper thereof."

In line 16 of Section 16, strike out the word "be" and insert in lieu thereof the words "take place."

In line 3, Section 24, after the figures (\$5,000), insert the word "pounds."

And as thus amended the bill do pass.

CROW,
Chairman.

Report accepted.

The Committee on Public Health submitted the following report:

Mr. Speaker:

The Committee on Public Health having had under consideration House Bill No. 149, makes its report as follows:

The Committee recommends that Section 6 be amended by striking out in line 6 thereof, the words "toilet paper;" also by striking out the words "running water" in said line and inserting in place thereof "ample water supply."

That Section 14 be amended as follows: In line 3 thereof strike out the word "advanced" and substitute therefor the words "six months," and strike out the words "showing signs of preparation for parturition."

That Section 17 be amended by inserting after the word "conditions," in line 4, thereof, the following:

"Provided, That in rural communities where no regular water system is available, hot and cold water shall be supplied in a manner sufficient to keep the slaughter house in a sanitary condition at all times."

That Section 20 be amended by inserting at the end of said section the words "and flies."

That after the words "a fee of ten dollars (\$10)" lines 9 and 10 of Section 26, insert the following words:

"In all places killing one to ten animals per week; a fee of \$15.00 in all places killing from ten to twenty animals per week; a fee of \$20 in all places killing from 20 to 30 animals per week, and a fee of \$25 for places killing more than 30 animals per week."

Section 28 be amended by substituting in line 3 and 4 thereof, the

words and figures "three hundred dollars (\$300)" for the words and figures "five hundred dollars (\$500)" and by adding after the said words and figures the following "And not less than twenty-five dollars (\$25)."

That Section 30, being the emergency clause thereof, be stricken out. That as so amended the bill do pass.

CROW,
Chairman.

Report accepted.

The Committee on State Affairs submitted the following report:

Mr. Speaker:

We, your Committee on State Affairs, having had under consideration House Bills Nos 191, 197 and 202, beg leave to submit the following report:

House Bill No 191, by Friend and Stephens. The committee recommend that bill do pass

Also House Bill No 197, by Baldrige. The committee recommend that the bill do pass

Also House Bill No 202, by Hill. The committee recommend that the bill do pass, with the following amendments. In Section 1, line 7, the word "Bingham" be stricken out and the word "Canyon" substituted in its place, and in line 10, of the same section, the word "Canyon" be stricken out, and the word "Bingham" substituted in its place.

JOHNSTON,
Chairman.

Report adopted, and House Bills Nos 191 and 197 referred to the Engrossing Committee.

Third Reading of House Bills, Concurrent Resolutions and Joint Memorials and Final Action Thereon.

HOUSE BILL NO 132, BY BELL AND MORGAN, read a third time at length, section by section, for final action

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Baldrige, Bell, Berry, Black, Bower, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 57. Ayes, 57. Nays, none. Absent, not voting, 2.

And so the bill passed, title was approved, and House Bill No. 132 ordered transmitted to the Senate

HOUSE BILL NO 19, BY JACOBS AND HOLMBERG, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result.

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 58. Ayes, 58. Nays, none. Absent, not voting, 1.

And so the bill passed, title was approved, and House Bill No. 19 was ordered transmitted to the Senate.

HOUSE BILL NO. 162, BY BOWERS, read a third time at length, section by section, for final action.

Moved by Sanborn and seconded by Gibson that House Bill No. 162 be referred to the Committee of the Whole.

Motion carried.

HOUSE BILL NO. 82, BY BELL AND MORGAN, read a third time at length, section by section, for final action.

Moved by Morgan and seconded by Bell that House Bill No. 82 be referred to the Committee of the Whole and be made the first order of business on the Calendar.

Motion carried.

Unanimous consent was given to return to the ninth order of business.

Motions and Resolutions.

Hanmer moved that all rules of the House interfering with the immediate passage of this resolution be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that House Joint Resolution No. 13, having been engrossed, be read the third time at length, section by section, and be put upon its final passage.

Seconded by Bell.

The question being on the suspension of the rules, roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Elmers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jensen, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 58. Ayes, 58. Nays, none. Absent, not voting, 1.

And so the rules were suspended, and House Joint Resolution No. 13 was read third time at length, section by section, for final action.

The question being, "Shall the resolution pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Elmers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 57. Ayes, 57. Nays, none. Absent, not voting, 2.

And so the resolution passed, and House Joint Resolution No. 13 was ordered transmitted to the Senate.

Unanimous consent was given to advance to the seventeenth order of business.

Third reading of House Bills, Concurrent Resolutions and Joint Memorials, and Final Action Thereon.

HOUSE BILL NO. 200, BY BLACK, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldridge, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 57. Ayes, 57. Nays, none. Absent, not voting, 2.

And so the bill passed, title was approved, and House Bill No. 200 was ordered transmitted to the Senate.

HOUSE BILL NO. 199, BY BLACK, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" the roll was called with the following result:

Ayes—Allred, Arthur, Baldridge, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 57. Ayes, 57. Nays, none. Absent, not voting, 2.

And so the bill passed, title was approved, and House Bill No. 199 was ordered transmitted to the Senate.

HOUSE BILL NO. 58, BY WALKER, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldridge, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 57. Ayes, 57. Nays, none. Absent, not voting, 2.

And so the bill passed, title was approved, and House Bill No. 58 was ordered transmitted to the Senate.

HOUSE BILL NO. 194, BY TERRELL, read a third time at length section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldridge, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon,

Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Johnson, Johnston, Jones, Kerby, Leaf, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 57. Ayes, 57. Nays, none. Absent, not voting, 2.

And so the bill passed, title was approved, and House Bill No. 194 was ordered transmitted to the Senate.

HOUSE BILL NO. 40, BY FEATHERSTONE, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldridge, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Johnson, Johnston, Jones, Kerby, Leaf, McCabe, Nelson, Nielsen, Nihart, Oakes, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Morgan, Parker, Sanborn, Walker.

Total number of votes, 57. Ayes, 53. Nays, 4. Absent, not voting, 2.

And so the bill passed, title was approved, and House Bill No. 40 was ordered transmitted to the Senate.

HOUSE BILL NO. 160, BY GALLOWAY, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldridge, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Johnson, Johnston, Jones, Kerby, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Warnick, Wood, Mr. Speaker.

Nays—Featherstone, Friend, Walker, Wilson.

Total number of votes, 55. Ayes, 51. Nays, 4. Absent, not voting, 4.

And so the bill passed, title was approved, and House Bill No. 160 ordered transmitted to the Senate.

Message From the Governor.

The following message was received from the Governor:

February 6, 1911.

Mr. Speaker and Gentlemen of the House of Representatives:

I have this day approved House Bill No. 97, by Morgan. An Act to appropriate twelve thousand dollars (\$12,000), or so much thereof as may be necessary, for the purchase from the United States of the lands included within the park created out of the Coeur d'Alene Indian Reservation by the Act of Congress of April 30, 1908 (35 statutes at large, 78), and providing for the purchase of said land and for the payment of said sum of money to the treasury of the State of Idaho from the fish and game fund; to name said park Heyburn Park; to create a board of control for the government of said park and to define the duties of said board; to provide for the appointment of a superintendent of said park and to define his duties and his compensation; and to repeal an act approved March 16, 1909 (Session

Laws, 1909, pp. 388-390), and all acts and parts of acts in conflict herewith.

Respectfully,

JAMES H. HAWLEY,
Governor.

HOUSE BILL NO 207, BY CROW, DAVIS, BLACK, FEATHERSTONE, GALLOWAY, GLENNON, TERRELL, HILL, EDGINGTON, BRADFORD AND MORGAN, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 57. Ayes, 57 Nays, none. Absent, not voting, 2.

And so the bill passed, title was approved, and House Bill No. 207 was ordered transmitted to the Senate.

H. B NO. 208, BY GLENNON, GALLOWAY, MORGAN, BLACK, DAVIS, FEATHERSTONE, TERRELL, HILL, EDGINGTON, BRADFORD AND CROW, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 57. Ayes, 57. Nays, none. Absent, not voting, 2.

And so the bill passed, title was approved, and House Bill No 208 was ordered transmitted to the Senate.

HOUSE BILL NO 210, BY MORGAN, BLACK, FEATHERSTONE, DAVIS, GALLOWAY, GLENNON, TERRELL, HILL, EDGINGTON, BRADFORD AND CROW, read a third time at length, section by section, for final action

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 57. Ayes, 57. Nays, none Absent, not voting, 2.

And so the bill passed, title was appoved, and House Bill No. 210 was ordered transmitted to the Senate.

HOUSE BILL NO. 211, BY FEATHERSTONE, TERRELL, HILL, GALLOWAY, GLENNON, DAVIS, BLACK, MORGAN, BRADFORD, EDGINGTON AND CROW, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following esult:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielson, Nihart, Oakes, Parker, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 57. Ayes, 57. Nays, none. Absent, not voting, 2.

And so the bill passed, title was approved, and House Bill No. 211 was ordered transmitted to the Senate.

First Reading of Senate Bills, Concurrent Resolutions and Joint Memorials.

The following Senate Bills were read first time in full:

S. J. M. No. 3.

S. B. No. 73.

S. B. No. 58.

S. B. No. 18.

S. B. No. 5.

S. B. No. 12.

Second Reading and Reference of Senate Bills, Concurrent Resolutions and Joint Memorials.

The following Senate Bills were read second time in full:

S. B. No. 50.

S. B. No. 52.

S. B. No. 65.

S. B. No. 80.

S. B. No. 42.

S. B. No. 66.

S. B. No. 57.

S. B. No. 56.

S. B. No. 46.

Reference of Bills.

The following bills were referred to their respective committees:

S. B. No. 42, Judiciary.

S. B. No. 46, State Affairs.

S. B. No. 52, Roads, Bridges and Ferries.

S. B. No. 56, Irrigation, Reservoirs and Reclamation.

S. B. No. 57, Privileges and Elections.

S. B. No. 65, Privileges and Elections.

S. B. No. 66, Judiciary.

S. B. No. 80, Roads, Bridges and Ferries.

S. B. No. 50, State Affairs.

Third Reading of Senate Bills, Concurrent Resolutions and Joint Memorials, and Final Action Thereon.

SENATE BILL NO. 25, BY WHITCOMB, read third time at length, section by section, for final action.

Bell moved to refer Senate Bill No 25 to Committee on State Affairs.
Motion lost

The question being, "Shall the bill pass?" roll was called with the following result

Ayes—Allred, Arthur, Baldridge, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Elmers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None

Total number of votes, 57. Ayes, 57 Nays, none. Absent, not voting, 2.

And so the bill passed, title was approved, and Senate Bill No. 25 was ordered transmitted to the Senate

Message From the Senate.

The following message was received from the Senate:

Mr. Speaker.

I have the honor to transmit herewith House Joint Resolution No. 13, by Hanmer.

Also House Concurrent Resolution No. 6, which have been adopted by the Senate.

CHARLES J. LISLE,

Assistant Secretary of Senate.

House Joint Resolution No. 13 and House Concurrent Resolution No. 6 ordered enrolled.

House In Committee of the Whole.

House resolved itself into Committee of the Whole for the consideration of the General Calendar. Black in the Chair.

House-In Regular Session.

The Committee of the Whole submitted the following report:

Mr. Speaker:

The Committee of the Whole have had under consideration the General Calendar, and make the following recommendations:

That House Bill No. 189 do pass without amendment

That House Bill No. 57 do pass without amendment.

That H. B No 82 be amended as follows: In line 2 of the title, change the word "eighty" to "seventy-five," and change the figures "\$80,000" to "(\$75,000)."

In line 4, Section 1, change the word "eighty" to "seventy-five" and change the figures "(\$80,000)" to "(\$75,000)."

In line 2, Section 2, change the words and figures, "eighty (80)" to "seventy-five (75)."

In line 11, Section 2, change the words and figures "eighty (80)" to "seventy-five (75) "

In line 2, Section 5, change the words and figures "five (5)" to "four (4)."

In line 4, Section 9, change the figures "\$78,815 92" to "\$73,715.92" and the figures in the total to read "\$75,000."

And as thus amended the bill do pass.

BLACK,
Chairman.

Moved by Black and seconded by Bower that the report of the Committee of the Whole be adopted.

Motion carried.

Report adopted.

Unanimous consent was given Bell to withdraw House Bill No. 93. Moved by Black and seconded by Hellekson that when House adjourn it be until 2:30 p. m. today.

Motion carried.

Speaker announced that he was about to sign House Joint Resolution No. 13, by Hanmer.

House Joint Resolution No. 13 was then signed by the Speaker.

Report of Standing Committee.

The Committee on Engrossed and Enrolled Bills submitted the following report:

Mr. Speaker:

We, your Committee on Engrossed and Enrolled Bills, beg leave to report House Bill No. 81 correctly engrossed.

GLENNON,
Chairman,

Report received and House Bill No. 81 filed for third reading.

Message From the Senate.

The following message was received from the Senate:

Mr. Speaker:

I have the honor to transmit herewith House Bill No. 35, by Arthur, which has passed the Senate. The Senate suggests that the House concur in the following amendment which has been made by the Senate to the title:

After the word "public" charge the comma to a semi-colon, and insert the words: "Providing for the closing thereof during certain hours."

CHARLES J. LISLE,
Assistant Secretary of Senate.

Johnston moved that House concur in the Senate amendment to the title of House Bill No. 35. Duly seconded and carried.

On motion of Nihart, House took a recess until 2:30 p. m.

Afternoon Session.

House met pursuant to adjournment, Mr. Speaker in the chair.

Roll call showed all members present.

The unanimous consent of the House was given members to withdraw House Bills Nos. 215, 248, 221, 163 and 165.

Reports of Standing Committees.

The Committee on Banks and Banking submitted the following report:

Mr. Speaker:

Your Committee on Banks and Banking, having had under consideration House Bill No. 145, by Hill, recommend that it be amended as follows:

In line 4 strike out the word and figures "ten (10)" and insert in place thereof the word and figures "twelve (12)."

Strike out all of line 6 and insert in place thereof the words "contract rate per annum until satisfied."

And that the bill do pass as amended.

McCABE,
Chairman

Report adopted.

The Committee on Live Stock submitted the following majority and minority reports:

Majority Report.

Mr. Speaker:

We, your Committee on Live Stock, beg leave to recommend that Senate Bill No 13 do pass.

ARTHUR, Chairman.
SORENSEN,
WALKER.

Minority Report.

Mr Speaker:

We, your Committee on Live Stock, beg leave to recommend that Senate Bill No. 13 do not pass

SANBORN,
ALLRED

Reports accepted.

Introduction of Bills, Concurrent Resolutions and Joint Memorials.

The following bills were introduced

H. B. NO. 270, BY CROW, (BY REQUEST).

An Act for the relief of B. A. Diesel, appropriating eight hundred ten dollars and five cents (\$810.05) therefor; and declaring an emergency.

H. B. NO. 271, BY CROW.

An Act to amend Section 3988 of the Revised Codes of Idaho, relating to court reporters.

H. B. NO. 272, BY BALDRIDGE, (BY REQUEST).

An Act to provide for the exemption of wide-tired wagons from assessment and taxation.

H. B. NO. 273, BY NIHART (BY REQUEST).

An Act prohibiting any county officer or any person employed under a county officer within this State, during his term of office, from being interested directly or indirectly in the preparation of any book or books designed to contain an abstract of any record in the county for which such officer is elected; providing a penalty for the violation of the provisions of this Act.

H. B. NO. 274, BY JENSON

An Act to provide for the payment of tuition of pupils residing in school districts which do not offer instructions equivalent to accredited high schools of the State of Idaho.

H. B. NO. 275, BY EIMERS, PARKER AND STEPHENS

An Act to provide for the construction and grading of an eight-foot road bed on about fifteen (15) miles of a public highway known as the Whitebird, Dumacque and Grave Creek wagon roads in Idaho County, Idaho, commencing at a place known as Lyons Ferry on Salmon River, which point is about one and a half (1½) miles from Whitebird, and running about five (5) miles in a northwesterly direction from said point through Townships 28 and 29 North, Range 1 East, Boise Meridian, in Said county, also commencing at the head of Grave Creek in Section 29, Township 31 North, Range 1 East, Boise Meridian; thence down Grave Creek to Rock Creek to Taylor's Ferry on Salmon River, a distance of about ten (10) miles; providing that the cost and expense of the construction of and grading of the said road bed of said road shall be not less than six thousand dollars (\$6,000) and the surveying and right-of-way shall cost not less than one thousand dollars (\$1,000) and that the additional amount over and above the sum of six thousand dollars (\$6,000) shall be raised from other sources than from the bonds herein provided, and made

available; and the said rights-of-way shall be surveyed, purchased, and dedicated to the public as public highways; all to be to the satisfaction of the Governor of the State of Idaho before the proceeds of the sale of said bonds, or any part thereof, shall be available; creating the Whitebird, Dumacque and Grave Creek Wagon Road Commission; prescribing its duties and powers; providing for the issue and sale of State bonds to defray the cost of building said road bed; and authorizing the levy of an annual ad valorem tax to pay the principal and interest of said bonds.

H. B. NO. 276, BY COMMITTEE ON PUBLIC HEALTH.

An Act relating to the prevention of pollution of public water and ice supplies used for domestic purposes; and to preserve the purity of the water and ice of the State; for the protection of the public health; and requiring the purification of sewage; and prescribing the powers of the State Board of Health and the duties of the State Dairy, Food and Sanitary Inspector in relation thereto; and providing penalties for the violation of the provisions herein.

H. B. NO. 277, BY JOHNSTON.

An Act authorizing the State Board of Land Commissioners of the State of Idaho to sell at auction certain State lands situate in Bingham County, Idaho, and described as the East half of the Southeast quarter of the Northwest quarter of Section 2 and the Northeast quarter of the Northwest quarter of Section 2, in Township 3 South, Range 35 East, Boise Meridian, containing fifty-nine and sixty-eight hundredths (59.68) acres, more or less; providing for the survey, platting and appraisalment of such lands by the State Board of Land Commissioners, and fixing the minimum price at which such lands shall be sold; providing the terms of sale and the manner in which deeds and certificates of sale to such lands shall be made.

H. B. No. 278, BY JOHNSTON.

An Act to promote popular instruction in the methods of poultry raising adapted to that industry in the State of Idaho; and making an appropriation therefor, and providing for the expenditure thereof.

H. B. NO. 279, BY DUNNING, (BY REQUEST).

An Act prohibiting the use of deception, misrepresentation, false advertising and false pretenses and unlawful force in the procuring of employees to work in any department of labor in this State; and fixing penalties, criminal and civil, for violation.

H. J. R. NO. 15, BY HILL, JAYNE, GLENNON AND FRIEND.

A Joint Resolution proposing an amendment to Section 3 of Article 18 of the Constitution of the State of Idaho, submitting to the electors of said State, for their rejection or approval, the question whether qualified electors residing within any territory proposed to be formed into a new county, or in any territory proposed to be added to another county, shall have the right to vote thereon; providing for elections therefor, and the appointment of officers for new counties so formed; and giving the Legislature the power to provide for the carrying into effect of the provisions of such proposed amendments.

H. J. M. NO. 7, BY DUNNING AND MORGAN.

To the Honorable Senate and House of Representatives of the United States of America, in Congress Assembled:

Your Memorialists, the members of the Legislature of the State of Idaho, now in session, respectfully represent that:

Whereas, The Congress of the United States of America is engaged in considering the question of trade reciprocity with the Government of Canada; and,

Whereas, All the people of Idaho, regardless of party affiliation, favor the principle of reciprocal trade;

Now, therefore, Your Memorialists respectfully pray that full reciprocal trade relations be at once established between the Government of Canada and the Government of the United States in order to reduce the cost of living and discourage the monopoly of natural opportunities.

And, be it resolved, That the Secretary of State of the State of Idaho be, and he is, hereby requested to forward this Memorial to Congress of the United States and copies thereof to all Senators and Representatives in Congress.

First Reading of House Bills, Concurrent Resolutions and Joint Memorials.

The following House Bills were read first time in full.

H. J. R. No. 15, by Hill, Jayne, Glennon and Friend.

H. B. No. 270, by Crow.

H. B. No. 271, by Crow.

H. B. No. 272, by Baldridge (by request).

H. B. No. 273, by Nihart (by request).

H. B. No. 274, by Jenson.

H. B. No. 275, by Elmers, Parker and Stephens.

H. B. No. 276, by Committee on Public Health.

H. B. No. 277, by Johnston.

H. B. No. 278, by Johnston.

H. B. No. 279, by Dunning (by request).

H. J. M. No. 7, by Dunning and Morgan.

House In Committee of the Whole.

House resolved itself into Committee of the Whole for consideration of the General Calendar. Black in the Chair.

House In Regular Session.

The Committee of the Whole submitted the following report:

Mr. Speaker:

The Committee of the Whole having had under consideration the General Calendar, makes the following recommendations:

That House Bill No. 192 be amended by striking out the words and figures "thirty days" wherever it appears and insert in lieu thereof "ten days," and as thus amended the bill do pass.

That Senate Bill No. 8 be amended as follows:

Strike out the words and figures "twenty thousand dollars (\$20,000)" in the title thereof and substitute the words and figures "twenty-seven thousand dollars (\$27,000)" therefor.

Lines 9 and 10, Section 1, strike out the words and figures "the sum of five dollars (\$5) per day for each day actually employed and."

Lines 3 and 4, Section 16, strike out the words and figures "twenty thousand dollars (\$20,000)" and substitute the words and figures "twenty-seven thousand dollars (\$27,000)."

That Senate Bill No. 14 be amended as follows:

Strike out the words "ten thousand dollars" and the figures "(\$10,000)" wherever they occur in the title and insert the words "seven thousand five hundred dollars" and the figures "(\$7,500)."

Section 5, line 3, strike out the words "ten thousand dollars" and the figures "(\$10,000)" and insert the words "seven thousand five hundred dollars" and the figures "(\$7,500)."

Section 5, line 6, strike out the words "in the" and insert the words "To the number of eight bonds, being seven bonds in the sum of one thousand dollars (\$1,000) each and one in the sum of five hundred dollars (\$500)."

Section 6, line 6, strike out the word "ten" and insert the word "eight."

Section 7, in line 3, strike out the words and figures "one-half ($\frac{1}{2}$)" and substitute the words and figures "two-fifths (2-5) thereof."

Section 12, line 6, strike out the words "ten thousand dollars" and the figures "(\$10,000)" and insert the words "seven thousand five hundred dollars" and the figures "(\$7,500)."

Section 12, line 9, strike out the words "ten thousand dollars" and insert the words "seven thousand five hundred dollars."

Section 12, line 10, strike out the figures "(\$10,000)" and insert the figures "(\$7,500)."

And recommend that the bill, as amended, do pass.

That House Bill No. 158 be laid over and retain its place on the Calendar.

That House Bill No. 75 be amended as follows:

In Section 7.158, sub-division 1, after the word "timber," insert the words "belonging to another." Strike out Section 7, and make subdivision 8 as subdivision 7.

That House Bill No. 143 be amended as follows:

In line 1, Section 1, strike out the words and figures "twenty (20)" and insert in lieu thereof the words and figures "twenty-five (25)."

In line 2, in Section 1, insert the words "or county" between the words "district" and "shall."

In line 4, Section 1, strike out the words "it shall be the duty of" and insert in lieu thereof the words "or county."

In line 4, Section 1, insert the words "may at their discretion" between the words "Commissioners" and "at."

In line 8, Section 1, insert the words "or county" between the words "district" and "a."

In line 9, Section 1, insert the words "the same" between the words "serve" and "on."

In line 1, Section 2, strike out the words "it is the duty of."

In line 2, Section 2, strike out the word "to" and insert in lieu thereof the word "may."

In line 6, Section 6, strike out the word "shall" and insert in lieu thereof the word "may."

In line 5, Section 1, after the word "petition" strike out the word "to."

And that the bill, as amended, do pass.

That House Bill No. 203 be amended as follows:

Insert the name of "Edgington and Bradley" after the word "Davis" as authors of the bill.

That Senate Bill No. 27 be amended as follows:

Strike out the word "the" at the end of line 9, Section 2.

Strike out the words and figures "sum of five dollars (\$5.00) per day and" from line 10, Section 2.

Strike out the words "per diem" from line 2, Section 6, and that the bill, as so amended, do pass.

BLACK,
Chairman.

Moved by Black, and seconded by Smith, that report of Committee of the Whole be adopted.

Motion carried and report adopted.

House, by unanimous consent, returned to the seventh order of business.

Reports of Standing Committees.

The Committee on Printing submitted the following report:
Mr. Speaker:

Your Committee on Printing herewith report that we have had correctly printed and distributed the following.

Amendments to House Bills Nos 63, 74, 142, 157, 51, 72 and 108.
House Bill No 234.

JONES,
Chairman

Report accepted.

The Committee on Privileges and Elections submitted the following report.

Mr. Speaker:

We, your Committee on Privileges and Elections, respectfully report that we have had under consideration Senate Bill No 65 and recommend that it do pass.

BRADLEY,
Chairman.

Report adopted and Senate Bill No. 65 filed for third reading
On motion of Bell, House adjourned until 9 a. m. Wednesday morning.

CHARLES D. STOREY,
Speaker.

JAMES H. WALLIS,
Chief Clerk

WEDNESDAY, THIRTY-EIGHTH DAY, FEBRUARY 8, 1911.

Morning Session.

Hall of the House of Representatives,
Boise, Idaho, February 8, 1911.

House met pursuant to adjournment Mr. Speaker in the chair.

Prayer was offered by the Chaplain

Roll call showed all members present except Pincock, Bradford and Morgan, excused.

Reports of Standing Committees.

Committee on Printing submitted the following report:
Mr. Speaker.

Your Committee on Printing herewith report that we have had correctly printed and distributed the following:

House Bills Nos. 178, 226, 229, 230, 232, 236, 238, 239, 241 and 242, 221, 222, 227 and 231.

The following have been read by copy, corrected and sent to the printer.

House Bills Nos 233, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 277, 278, 279. House Joint Memorial No. 7.

JONES,
Chairman.

Report received.

Motions and Resolutions.

Moved by Nihart and seconded by Oakes that the Chief Clerk be, and is hereby authorized, to make requisition on the Auditor of State for the sum of five (\$5 00) dollars in stamps for each member of the House and the Chief Clerk for their use during the session.

Motion adopted.

Introduction of House Bills, Concurrent Resolutions and Joint Memorials.

The following bills were introduced:

H. B. NO. 280, BY STRODE.

An Act to amend Section 2754 of the Revised Statutes of Idaho by prescribing certain duties of the Secretary and the Treasurer of a corporation pursuant to an order levying an assessment; and providing a penalty upon failure of the Secretary or Treasurer to comply with the provisions of this Act.

H. B. NO. 281, BY JONES.

An Act defining the powers and duties of County Commissioners; providing for the publication and distribution of a statement of their acts and proceedings; fixing their salaries; repealing Acts and parts of Acts in conflict herewith.

H. B. NO. 282, BY HYDE, (BY REQUEST).

An Act to amend Section 4624 of the Revised Codes of Idaho, relating to divorces for insanity.

H. B. NO. 283, BY EDGINGTON.

An Act authorizing action in District Courts for separate maintenance of wife; providing for the causes thereof; providing for separate allowances, division of community property, custody and care, support, maintenance and education of minor children, alimony and court expenses pending decision, and repeal of inconsistent Acts.

H. B. NO. 284, BY COMMITTEE ON AGRICULTURE AND HORTICULTURE.

An Act to amend Sections 1310, 1311, 1312, 1315 and 1325 of the Revised Codes of the State of Idaho, as amended by the Tenth Session of the Legislature of the State of Idaho; amending Sections 1318, 1322 and 1323 of the Revised Codes of the State of Idaho relating to horticultural inspection; also amending Section 1326 of the Revised Codes of Idaho by adding Sections 1326a, 1326b, 1326c, 1326d, 1326e and 1326f, relating to the disposal of packing used in nursery shipments from without this State; relating to the spraying of apple and pear trees for codling moth; providing for the proper labeling of spray solution and packages containing arsenate of lead and zinc by all dealers therein within this State; providing what formula shall be used by contract or custom sprayers; making any contract illegal when a different formula from that contained herein is used by any sprayer within this State, and making exception in certain cases; providing a punishment for the violation of any of the provisions of this Act; directing that all license fees, fines or forfeitures collected in pursuance of this Act shall be paid into the horticultural inspection fund; repealing all Acts or parts of Acts in conflict herewith, and expressly repealing Section 3 of an Act of the Tenth Session of the Legislature of the State of Idaho, approved March 12, 1909, and entitled, "An Act to amend Sections 1310, 1311, 1312, 1315, 1325; repeal Section 1327 of the Political Code of the Revised Codes of Idaho pertaining to horticultural inspection; and add Section 1327, providing for notice to inspectors before delivery by carrier; and declaring an emergency;" declaring that an emergency exists for the passage of this Act.

H. B. NO. 285, BY DAVIS

An Act Prescribing a penalty for escapes from the State penitentiary; and declaring an emergency.

H. B. NO. 286 (SUBSTITUTE FOR H. B. NO. 221), BY JAYNE.

An Act providing for the issuance and sale of State bonds in the sum of fifteen thousand dollars (\$15,000), and appropriating the proceeds thereof for the construction of a wagon bridge across the Snake River at or near the Northeast quarter of the Southwest quarter of

the Northeast quarter of Section 6, Township 11, Range 20 East, Boise Meridian, between Twin Falls and Lincoln Counties, Idaho; authorizing the levy of an annual ad valorem tax to provide for a sinking fund for the payment of such bonds at maturity and the interest thereon as the same becomes due; Provided, That the cost and fair value of said bridge shall be not less than fifteen thousand dollars (\$15,000) and that the additional amount over and above the sum of ten thousand dollars (\$10,000) shall be raised from other sources and made available to the satisfaction of the governor of Idaho before the proceeds of said bonds, or any part thereof, shall be available; providing for a bridge commission to have general control of the construction of said bridge and the disbursement of the appropriation made by this Act.

Message From the Senate.

The following message was received from the Senate:

Mr. Speaker:

I have the honor to transmit herewith Senate Bill No. 7, by St. Clair, and Senate Bill No. 62, by Pugmire and Preston, which have passed the Senate.

CHARLES J. LISLE,
Assistant Secretary of Senate.

First Reading of House Bills, Concurrent Resolutions and Joint Memorials.

The following House Bills were read first time in full:

H. B. No. 280, by Strode.

H. B. No. 281, by Jones.

H. B. No. 282, by Hyde (by request).

H. B. No. 283, by Edgington

H. B. No. 284, by Committee on Agriculture and Horticulture.

H. B. No. 285, by Davis.

H. B. No. 286 (substitute for House Bill No. 221), by Jayne.

First Reading of Printed Amendments to House Bills.

Printed amendments to the following House Bills were read first time in full:

H. B. No. 108.

H. B. No. 74.

H. B. No. 142.

H. B. No. 157.

H. B. No. 72.

H. B. No. 51.

H. B. No. 63

Second Reading and Reference of House Bills, Concurrent Resolutions and Joint Memorials.

The following bills were read second time in full:

H. B. No. 233, by Black.

H. B. No. 258 (substitute for H. B. No. 79), by Johnson, Jayne, Sanborn, Sorenson and Stephens, Committee on Fish and Game.

H. B. No. 259, by Warnick.

H. B. No. 260, by Crow.

H. B. No. 261, by Crow.

H. B. No. 262, by Crow

H. B. No. 263, by Crow and Ceaser.

H. B. No. 264, by Terrell

H. B. No. 265, by Oakes (substitute for H. B. No. 153).

H. B. No. 266, by Walker.

H. B. No. 267, by Kerby.

H. B. No. 268, by Black.

H. B. No. 269, by Edgington (by request).
H. B. No. 270, by Crow (by request).
H. B. No. 271, by Crow.
H. B. No. 272, by Baldrige (by request).
H. B. No. 273, by Nihart (by request).
H. B. No. 274, by Jensen.
H. B. No. 275, by Eimers, Parker and Stephens.
H. B. No. 276, by Committee on Public Health.
H. B. No. 277, by Johnston.
H. B. No. 278, by Johnston.
H. B. No. 279, by Dunning (by request).
H. J. R. No. 15, by Hill, Jayne, Glennon and Friend.
H. J. M., No. 7, by Dunning and Morgan.

Reference of Bills.

The Speaker referred the following bills to their respective committees:

H. J. R. No. 15, Privileges and Elections.
H. J. M. No. 7, State Affairs.
H. B. No. 233, Cities, Towns and Other Municipal Corporations.
H. B. No. 258, Fish and Game.
H. B. No. 259, Appropriations.
H. B. No. 260, Judiciary.
H. B. No. 261, Judiciary.
H. B. No. 262, Judiciary.
H. B. No. 263, Privileges and Elections.
H. B. No. 264, Roads, Bridges and Ferries.
H. B. No. 265, Private Corporations.
H. B. No. 266, Judiciary.
H. B. No. 267, Appropriations.
H. B. No. 268, Roads, Bridges and Ferries.
H. B. No. 269, Agriculture and Horticulture.
H. B. No. 270, Appropriations.
H. B. No. 271, Judiciary.
H. B. No. 272, Revenue and Taxation.
H. B. No. 273, Judiciary.
H. B. No. 274, Education.
H. B. No. 275, Roads, Bridges and Ferries.
H. B. No. 276, Public Health.
H. B. No. 277, State Affairs.
H. B. No. 278, Agriculture and Horticulture.
H. B. No. 279, Roads, Bridges and Ferries.

By unanimous consent, Strode withdrew House Joint Resolution No. 7.

Third Reading of House Bills, Concurrent Resolutions and Joint Memorials, and Final Action Thereon.

HOUSE BILL NO. 81, BY JOHNSON AND SORENSON, read a third time at length, section by section, for final action.

Moved by Jacobs, and seconded by Nihart, that House Bill No. 81 be indefinitely postponed.

Johnson moved as a substitute motion that the bill be put upon its final passage.

Seconded by Parker.

Johnson moved a call of the House.

Seconded by Parker.

Motion carried, and call ordered.

Call showed all members present except Bell, Black, Bower, Bradford, Galloway, Jenson, Johnston, Kerky, Leaf, Morgan, McCabe, Pincock and Wilson, and Sergeant-at-Arms was ordered to bring the absent members in.

Davis moved that all proceedings under the call of the House be raised.

Seconded by Burrell.

Motion carried.

The question then was upon the adoption of the motion by Jacobs to indefinitely postpone House Bill No. 81.

Motion lost.

Moved by Johnson, and seconded by Walker, that the courtesies of the House be extended Senator Mitchell of Nez Perce County.

Motion carried.

On motion the courtesy of the House was also extended to Mr. Anderson of Nez Perce County.

Speaker in the presence of the House signed Senate Bills Nos. 47 and 19.

The question being "Shall House Bill No. 81 pass?" roll was called with the following result

Ayes—Bell, Burrell, Ceaser, Crow, Davis, Dunning, Eekles, Edgington, Galloway, Gibson, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jayne, Jenson, Johnson, Johnston, Kerby, Leaf, McCabe, Nelson, Wood

Nays—Allred, Arthur, Baldridge, Berry, Bower, Bradley, Eimers, Farmin, Friend, Hanmer, Jacobs, Jones, Nielsen, Nihart, Oakes, Sanborn, Smith Thompson, Mr. Speaker.

Total number of votes, 52. Ayes, 33. Nays, 19. Absent, not voting, 7.

And so the bill passed, title was approved, and House Bill No. 81 was ordered transmitted to the Senate.

By unanimous consent House returned to the eighth order of business.

Report of Select Committees.

The Investigating Committee on State Institutions submitted the following report:

REPORT OF THE INVESTIGATING COMMITTEE IN REGARD TO STATE INSTITUTIONS

We, the committee appointed in the Senate and House of Representatives to visit the various State Institutions, make the following report:

University of Idaho, at Moscow.

At the University of Idaho we find a corps of experienced, well trained instructors under the able supervision of President McLean. After a careful investigation of the work being done in the various departments, we are confident that the State can well feel proud of the high grade scholarship maintained at this institution. Since its establishment it has broadened its sphere and acquired such a high standard that its graduates are now placed on a level with those of similar institutions throughout the west. We spent two full days at the university and made a thorough investigation of every department. We compliment the Board of Regents with Mr. W. E. Lewis at their head, on the splendid condition of the buildings and grounds of the institution. The general management along these lines seems to be all that can be desired. There is perfect harmony existing in the faculty and all work assiduously for the good of the institution.

The central part of the administration building is completed and fully occupied and still there is a lack of class and study room. When the auditorium wing is completed this condition will be relieved to some extent. A bond issue to complete this part of the building was authorized by the Legislature two years ago, but was defeated by the Supreme Court on account of some legal technicality. The amount

now asked for the completion of this wing should be allowed without diminution.

The building of an additional dormitory for girls for which \$80,000 is asked, while needed, can in our judgment, be deferred for the present. There might be some arrangement made by the faculty for affiliated homes for the girls which could be placed under the supervision of the dean of women and, while not offering all of the advantages of the dormitory, would be reasonably satisfactory.

The most crying need of the institution at this time is suitable and adequate accommodations for the boys and in this regard we wish to say that we think the citizens of Moscow have failed to some extent in their duty to the school in not supplying accommodations for board and lodging for this class of students. We understand that it is hard for boys to find places to lodge and they can not find places to board except at restaurants, and these are located so far from the campus that they are inaccessible during the school hours.

The congested condition of the school and lack of class room is largely due to the preparatory department which is being maintained and conducted in the administration building. The five large rooms occupied by this department, if available for college work, would relieve the pressing need for class room very materially.

In view of the fact that there are now 65 High Schools in the State that this class of students may attend, and believing as we do that this department has no rightful place in the University, we therefore recommend that only such an amount be appropriated for its maintenance as may be required to carry it to the end of the present school year and that then it should be abolished.

The Normal department is a small affair and has for its purpose the training of teachers for High School work only and will of necessity pass out of existence with the abolishment of the preparatory department.

In regard to the law school, your committee feels that it was a mistake to have made this a part of the University in the beginning, because, to our minds, a professional department requires a special location and equipment, which neither Moscow nor the State of Idaho can furnish at this time. For this reason, we recommend that the department be abolished at the end of the present school year.

Following your instructions and basing our conclusion on figures obtained from a bulletin of the University published in June, 1910, we find the percentage of students of the different departments giving their residence at Moscow, as follows:

Art and music, 145; from Moscow, 88; equaling 60 per cent.

Dairy and short course, 45; from Moscow, 24; equaling 53 per cent.

Preparatory department, 165; from Moscow, 96; equaling 58 per cent.

We recommend the following amounts be appropriated for this biennium:

Bonds for the completion of the auditorium wing.....	\$ 75,000 00
Maintenance	60,000 00
Regents' expenses	2,000 00
Mining department	5,000 00
Maintenance of law school until the end of present year..	3,000 00
Total	\$145,000 00

Agriculture.

In this department the actual needs are great and should be provided for as soon as possible. We recommend the following appropriation:

Maintenance	\$ 3,000 00
Experiment stations, sub-stations in different localities....	40,000 00
Extension schools, institutes and field work.....	16,000 00
Barns, etc.	9,800 00

Total\$68,800 00

We think that all agricultural work properly belongs to the Agricultural College and should be conducted under its supervision and direction and that other State institutions should not be allowed to compete with this school in this department. In other words, as a matter of economy, no State institution should be allowed to go out of its own particular field and duplicate the work of another.

We recommend the mill tax as a means of raising revenue for the University, the Lewiston Normal, the Deaf and Blind Asylum and the Academy of Pocatello. If this method is adopted and made available this year, much of the appropriation above enumerated may be eliminated.

Lewiston State Normal School.

Your committee made a careful investigation of the needs of the Lewiston State Normal School, the character of the educational work being done and the training department, and we found that the institution at the present time is working within the provisions of its charter. Under the efficient supervision of George L. Black, President, the Lewiston State Normal School has attained a high standard, its graduates being placed upon a level with those of Normal Schools in other States. We find the training department to be an essential adjunct to the Normal School, and the present number of students in this department does not exceed that which is absolutely necessary for the training of the Normal students enrolled at the present time.

As to the standing of the Lewiston Normal as a State institution apart from that of a local school, we found, basing our figures on the enrollment of the last semester, that the total number of students doing Normal work with the intention of becoming teachers to be 277, with 32 additional students doing special work; of these 277 students, 111 of these, or 40 per cent, gave Lewiston as their home. One hundred and fifteen, or approximately 42 per cent, reside in the State outside of Lewiston, and 51, or 18 per cent, came from other States.

The first matter that was brought to our attention upon arriving upon the campus was the immediate need of good cement walks. Your committee was compelled to go through mud in passing from one building to another, and we regret that the students and faculty are compelled to endure this inconvenience. Upon examination of the main building we noticed the lack of proper ventilation, as this is of vital importance to the health of the students we recommend that sufficient money be appropriated to remedy this condition; also that this building be equipped with fire escapes, which can be done for the sum of \$3,000. We found some of the floors to be badly in need of repair, that parts of the building need painting and kalsomining and that the lighting system in Lewis Hall is poor.

By finishing the basement of the domestic science building and remodeling the old boiler room in Lewis Hall much space will be made available for those already crowded buildings. We also feel that there is an immediate need for a model rural training school building.

We therefore recommend the following appropriations for the Lewiston State Normal School for the biennium:

Installation and ventilating system in main building and connecting with central heating plant.....	\$ 6,000 00
Finishing domestic science building.....	2,000 00
reflooring halls and library of main building.....	500 00
Domestic science equipment	700 00

Lewis Hall.

Remodeling boiler room, equipment of laundry, building coal bin	1,800 00
Equipment for gymnasium	1,000 00
Improvements for lighting system.....	600 00
Painting and kalsomining all buildings.....	500 00
Fire escapes	3,000 00
Sidewalks	1,000 00
Maintenance	80,000 00
Rural school building	3,500 00

Total\$100,600 00

Orofino Insane Asylum.

After a careful investigation of the Northern Idaho Insane Asylum at Orofino, your committee found the institution to be in a good condition under the wise and careful supervision of Dr. John W. Givens. The buildings, grounds and stock are in a well kept and neat condition. Everything possible has been done for the comfort and welfare of the patients, at a minimum expense. We found that the institution is greatly hampered in its work at the present time because of lack of room for the patients. Dr. Givens has found it necessary to place two patients in each room which was originally intended for the use of only one. The institution at the present time is very much overcrowded and there is a pressing need for a new wing to the main building. We also found that a part of the main building has not been completed because of lack of funds. This apartment was intended for the kitchen, and we recommend that a sufficient amount of money be appropriated at once to complete this building.

We found that if the expense of the maintenance of this institution is to be materially reduced, it will be necessary to purchase additional lands, which can now be obtained at a reasonable figure, on which to raise sufficient supplies of vegetables, grain and hay, etc., for the use of the institution. We therefore recommend that the following appropriations be made for the above named institution:

General maintenance	\$ 75,000 00
Wing to main building.....	27,000 00
Completion of kitchen.....	2,000 00
Purchase of land.....	6,000 00

Total\$110,000 00

Albion State Normal School.

We find this institution to be unfortunately located and recommend that after the present school year the institution be abandoned for use as a State Normal School. Our reasons for arriving at this decision are the following:

First. It is inaccessible from points in other portions of the State, or even in its own county, due to the fact that it is twenty miles from a railroad station, and if maintained, under no future conditions whatever, can students be drawn from any portion of the State other than its immediate neighborhood. We find that, inspite of the fact that several hundred dollars has been used to canvass portions of this State, the attendance in the Normal department from outside districts is very small.

Second. The cost of maintenance will always be very high on account of the distance from the railroad, which necessitates the hauling of coal and supplies. The institution has to maintain its own light and water plant, power for which is generated by means of a gasoline engine. The construction of a sewerage system at this location will also be an expensive item.

Third. The immediate location of the school is upon grounds that can never be made attractive or suitable for such an institution, except at a great expense. Another reason is the inability of the school to draw but few students who are taking up the course of Normal instruction.

We suggest that the buildings in connection with this institution be dispensed of to the county for a Rural High School, or county buildings and the equipment distributed to other State institutions, as deemed most suitable by a committee appointed by the Governor for such purpose.

We find the school and corps of teachers doing good work, but we believe that the proportion of grade and High School students not taking the Normal work entirely out of proportion to the number of students taking the Normal work. Below and including the eighth grade, 227 pupils are enrolled; above the eighth grade, in the High School and Normal department, there is an average attendance of 142 students. Of these, in the two upper grades, possibly 50 students are taking Normal work with the intention of becoming teachers. Below these two grades, about 50 pupils are not taking the Normal work and have no intention of teaching in the public schools of the State.

We might say that this school is asking \$97,000 for maintenance for the biennial period 1911 and 1912 and its actual attendance in the Normal department is under 100. This amount, taken for the two years, makes the cost \$500 per annum for each student taking the Normal course, and if the amount asked for the buildings and repairs were complied with, it would increase this cost to \$1,000 per year or more for each Normal student.

We recommend that \$25,000 be appropriated to the Albion State Normal School to complete the present term, which ends in June, 1911.

And in the event that the Legislature does not see fit to adopt the report of the committee, we would recommend the following amount for the use of the institution as the appropriation for its use during the ensuing biennial period.

Dormitory equipment and repairs (girls).....	\$ 1,000 00
Domestic science	500 00
Domestic science books.....	100 00
Fuel	8,500 00
General supplies	7,500 00
Insurance	750 00
Gasoline	1,500 00
Pay roll	56,250 00
Expenses, Board of Trustees.....	500 00
Freight and drayage....	1,750 00
Building repairs	1,200 00
Incidentals	4,000 00
Dormitory repairs (boys)	2,500 00
Total	\$86,050 00

Academy of Idaho at Pocatello.

Our report, after investigating the Academy at Pocatello, is that we find this institution is doing good work along the lines of industrial and commercial training to students above the eighth grade. We also

find that they have an enrollment of 287. Of this number, 47 are duplicating the regular High School course and the remaining 240 are taking a course of technical training, which is usually supplied by first class High Schools throughout the State. We believe that the greater part of this work can be done and should be done by the High School districts throughout the State.

We recommend that the institution be used to impart a higher grade of technical education and that it be placed under the same management as the State University. We further recommend that the agricultural department of the school be discontinued, or used as a department of the State Agricultural School.

We recommend the following appropriation for the Academy of Idaho for the biennial period 1911 and 1912:

Building for physical education, auditorium and department of music	\$ 45,000 00
Addition to grounds.....	6,300 00
Equipment and furniture.....	5,000 00
Equipment and repairs (Ferris Hall).....	1,000 00
General maintenance	70,000 00
Deficiency	6,000 00
Total	\$133,300 00

Idaho State School for the Deaf and Blind at Gooding, Idaho.

We recommend the following appropriation for the Idaho State School for the Deaf and Blind for the biennial period of 1911 and 1912:

Maintenance	\$40,000 00
Furnishing and equipment.....	5,000 00
Improvement of grounds.....	1,000 00
Barn	1,000 00
Farm equipment	1,000 00
Shop equipment	400 00
Building	30,000 00
Deficit	9,692 00
Total	\$88,092 00

Industrial Training School at St. Anthony.

We find the Industrial Training School at St. Anthony doing excellent work and well managed. We also find the institution to be very much crowded, there being a great lack of room in proportion to the number of its inmates.

The present law allows Probate Judges to commit indigent as well as delinquent children to this school, and we believe that the indigent children should be cared for by some home finding institution and that they should not, in the future, be committed to the Industrial School with delinquents. The associations and stigma connected with such institutions should not be put upon children whose only fault is a lack of home and parental support. We recommend that the law be so changed that, under no conditions, will children of this character be sent to this institution. This, we believe, will relieve the congested and crowded condition of the school which exists at the present time.

We recommend the following appropriation for the Industrial Training School at St. Anthony for 1911 and 1912:

We recommend that they buy 160 acres of land, \$80 per	
acre	\$ 12,800 00
Horse and dairy barn and equipment.....	5,000 00
Shop building	5,000 00
Hospital	5,000 00
Green and vegetable house.	1,500 00
Safety vault	500 00
300 feet of fire hose.....	600 00
Library and music... ..	600 00
One cottage	15,000 00
Maintenance	90,000 00
Deficit	18,000 00
Total	\$154,000 00

Blackfoot Insane Asylum.

We find the Insane Asylum at Blackfoot well and economically managed. We were waited upon by the citizens of Blackfoot with the request that we recommend the sale of 142 acres of the institution grounds adjacent to the City of Blackfoot, to be eventually used to extend the city limits. This ground contains some of the best lands in connection with the institution and, after carefully looking over this land, we recommend at this time that the same be not sold.

We recommend the following appropriation for the above institution for the years 1911 and 1912:

Maintenance	\$85,000 00
Laying new hardwood floors	1,200 00
Detention ward for the criminally insane.....	1,000 00
Painting and repairing.....	1,000 00
Expenses of Board of Directors.....	500 00
Total	\$88,700 00

We further believe, in regard to these institutions, that the buying of supplies should be put in the hands of some competent man, rather than left as it is, to the bidding of local retail merchants.

We further recommend that all the State institutions be put under one board of control with power to appoint such business agents, auditors and buyers as they may deem necessary. Provision should also be made that all employees of State institutions be paid monthly.

E. M. PUGMIRE,

O. F. PAGE,

Committee of Senate.

EDWARD J. HANMER,

C. W. LEAF,

F. M. KIRBY,

H. G. WILSON,

Committee of House.

Moved by Warnick, and seconded by Hill that the report be adopted.

Moved by Terrell, as a substitute motion, that the report be referred to the Committee on Appropriations.

Seconded by Hendricks.

Moved by Dunning, as a substitute for all pending motions, that report be submitted to the Committee on Education.

The question before the House was upon the substitute motion by Dunning.

Motion lost.

The question then was on the adoption of the motion by Terrell to refer to the Committee on Appropriations

Motion carried.

Berry moved that 500 copies of the report on State institutions be printed.

Seconded by Hendricks.

Motion withdrawn.

Johnston moved that 300 copies, additional to what will appear in the Journal, be printed, either by having an additional number of copies of the Journal printed, or in pamphlet form, as the Committee on Printing might deem best.

Seconded by Hill.

Motion carried.

Reports of Standing Committees.

The Committee on Engrossed and Enrolled Bills submitted the following report:

Mr. Speaker:

We, your Committee on Engrossed and Enrolled Bills, beg leave to report House Bills Nos. 41, 214, 68, 186, 190, 183, 191, 197 correctly engrossed.

GLENNON,

Chairman.

Report received, and House Bills Nos. 41, 214, 68, 186, 190, 183, 191 and 197 filed for third reading.

First Reading of Senate Bills, Concurrent Resolutions and Joint Memorials.

The following Senate Bills were read first time in full:

S. B. No. 7, by St. Clair.

S. B. No. 62, by Pugmire and Preston.

Second Reading and Reference of Senate Bills, Concurrent Resolutions and Joint Memorials.

The following Senate Bills were read second time in full:

S. B. No. 5, by Potts.

S. B. No. 18, by Whitcomb.

S. B. No. 58, by Page.

S. B. No. 73, by Poole and Eckert.

S. B. No. 12, by St. Clair.

S. J. M. No. 3, by Macbeth.

Reference of Bills.

The Speaker referred the following Senate Bills to their respective committees:

S. B. No. 5, State Affairs.

S. B. No. 18, Appropriations.

S. B. No. 58, Privileges and Elections.

S. B. No. 73, Roads, Bridges and Ferries

S. B. No. 12, Judiciary.

S. J. M. No. 3, Roads, Bridges and Ferries.

Third Reading of Senate Bills, Concurrent Resolutions and Joint Memorials, and Final Action Thereon.

SENATE BILL NO. 65, BY COATES, ECKERT, GOODING, HAIGHT, LEE, PAGE, POTTS, PRESTON, SHAWHAN, ST. CLAIR, WILLIAMS AND YATES, read a third time at length, section by section, for final action.

Moved by Sanborn, and seconded, that Senate Bill No. 65 be referred to the Committee of the Whole for the purpose of striking out the emergency clause.

Hill moved a call of the House.

Seconded by Johnson.

Motion carried.

Moved by Davis, and seconded by Glennon, that further proceedings under the call be dispensed with.

Motion lost.

Call showed all members present except Bell, Black, Bradford, Hammer, Parker, and Morgan and Pincock excused.

The Sergeant-at-Arms was ordered to bring the absent members in.

Moved by Hill and seconded by Dunning that the call be raised

Motion carried.

Call raised.

The question was now on the motion by Sanborn to refer to the Committee of the Whole.

Motion lost.

Roll was called on the final passage of Senate Bill No. 65 with the following result:

Ayes—Allred, Arthur, Baldrige, Berry, Bower, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Elmers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hellekson, Hendricks, Hill, Holmberg, Hyde, Hutton, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Leaf, McCabe, Nelson, Neilsen, Nihart, Oakes, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 52 Ayes, 52. Nays, None Absent, not voting, 7

And so the bill passed, title was approved and Senate Bill No. 65 ordered transmitted to the Senate

SENATE BILL NO 11, BY WHITCOMB, read a third time at length, section by section, for final action

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bower, Bradford, Bradley, Burrell, Ceaser, Crow Davis, Dunning, Eckles, Edgington, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Leaf, McCabe, Nelson, Neilsen, Nihart, Oakes, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick Wilson, Wood, Mr. Speaker.

Nays—None

Total number of votes, 51. Ayes, 51. Nays, none. Absent, not voting, 8.

And so the bill passed, title was approved, and Senate Bill No 11 was ordered transmitted to the Senate

Moved by Davis and seconded by Hyde that consideration of the General Calendar be made the special order of business at 2 p. m today.

Motion carried

On motion House returned to the Ninth Order of Business.

Motion and Resolutions.

Crow moved the following:

Resolved, That the Hon. J. C Lawrence, Chairman of the Railroad Commission of Washington be invited to address the members of the House this afternoon, immediately upon adjournment, on the subject of "Railroad Commission," and that the Senate be invited to attend this address.

Seconded by Smith

Motion carried.

On motion of Davis House took a recess until 2 p. m.

Afternoon Session.

House met pursuant to adjournment. Speaker in the Chair.

Roll call showed all members present except Morgan, Pincock and Bradford excused.

Special Order.

House resolved itself into Committee of the Whole for special consideration of the General Calendar. Edgington in the Chair.

House in Regular Session.

The Committee of the Whole submitted the following report:
Mr. Speaker:

The Committee of the Whole has had under consideration the general calendar and makes the following recommendations:

That House Bill No. 107 be amended as follows:

In line 5 of the title the word "fifty" be changed to the word "thirty," and the figures in line 6 of the title be changed from "\$50,000" to "\$30,000."

In line 2 of Section 2 change the words and figures "fifty thousand" and "\$50,000" to "thirty thousand (\$30,000)."

In line 2 of Section 3 at the end of the line change the word "fifty" to "thirty;" in line 3 of Section 3 change the figures "50" to "30."

In line 9 of Section 3 change the figure and word "fifty (50)" to "thirty (30)."

And as thus amended the bill do pass.

That House Bill No. 158 be laid over and retain its place on the calendar.

That House Bill No. 222 be recommitted to Committee on Private Corporations.

That House Bill No. 162 be recommitted to Committee on Irrigation.

That House Bill No. 112 be amended as follows:

In line 8, Section 1, change the word "contract" to "record," and add the following: "This Act shall apply in all cases where such printed record books shall have been heretofore supplied as provided herein."

And that as so amended the bill do pass.

That House Bill No. 145 be indefinitely postponed.

EDGINGTON,
Chairman.

Moved by Edgington and seconded by Davis that report of Committee of the Whole be adopted

Motion carried.

Report adopted.

Speaker, in the presence of the House, signed House Joint Resolution No. 13.

Unanimous consent was given to return to the Seventh Order of business.

Reports of Standing Committees.

The Committee on Printing submitted the following report:

Mr. Speaker:

Your Committee on Printing herewith report that we have had correctly printed and distributed the following:

House Bills Nos. 211, 224, 235, 243, 244, 246, 252, 253, 254, 256, 257, House Joint Resolution No. 14. House Joint Memorials Nos. 5 and 6. Amendments to House Bill No. 98.

The following have been read by copy, corrected and sent to the printer:

House Bills Nos. 275 and 276. House Joint Resolution No. 15.

JONES,
Chairman.

Report received

Davis moved that House adjourn until 9 a. m. Thursday.

Seconded by Crow.

Motion carried.

House adjourned

CHARLES D. STOREY,
Speaker.

JAMES H. WALLIS,
Chief Clerk.

THURSDAY, THIRTY-NINTH DAY, FEBRUARY 9, 1911.

Morning Session.

Hall of House of Representatives,
Boise, Idaho, February 9, 1911.

House met pursuant to adjournment Mr. Speaker in the chair.

Prayer was offered by the Chaplain.

Roll call showed all members present except Morgan, who was excused.

The Journals for the thirty-seventh and thirty-eighth days were read.

Committee on Journal submitted the following report:

Mr. Speaker:

We, your Committee on Journal, beg to report that we have had under consideration the Journals for the thirty-seventh and thirty-eighth days, and have corrected the same, and move that the Journals for the above days be approved.

WARNICK,
Chairman.

Report adopted, and Journals for the thirty-seventh and thirty-eighth days approved.

Reports of Standing Committees.

The Committee on Charitable and Penal Institutions submitted the following report:

Mr. Speaker:

We, your Committee on Charitable and Penal Institutions, beg leave to report that we have had under consideration House Bill No. 220, by Wilson, and recommend that the same do pass.

WILSON,
Chairman.

Report adopted, and House Bill No. 220 ordered engrossed.

Committee on Public Health submitted the following report:

Mr. Speaker,

We, your Committee on Public Health, beg leave to report that we have had under consideration House Bills Nos. 276, 237 and 228 and recommend that the same do pass.

CROW,
Chairman.

Report adopted and House Bills Nos. 276, 237 and 228 ordered engrossed.

The Committee on Engrossed and Enrolled Bills submitted the following report:

Mr. Speaker:

We, your Committee on Engrossed and Enrolled Bills beg leave to report House Bills Nos. 189, 141, 219, 206, 60, 35, 50, 223, 194, 172, 119, 57, 173, 179 and 204 correctly engrossed.

GLENNON,
Chairman.

Report received and House Bills Nos. 189, 141, 219, 206, 60, 35, 50, 223, 104, 172, 119, 57, 173, 179 and 204 filed for third reading.

The Committee on Printing submitted the following report:

Mr. Speaker:

Your Committee on Printing herewith report that we have had correctly printed and distributed the following:

House Bills Nos. 247, 249 and 250, 220. House Joint Resolution No. 13.

The following have been read by copy, corrected and sent to the printer:

House Bills Nos. 280, 281, 282, 283, 285 and 286.

JONES,
Chairman.

Report received.

The Committee on Irrigation, Reservoirs and Reclamation submitted the following report:

Mr. Speaker:

Your Committee on Irrigation, Reservoirs and Reclamation beg leave to report that we have had under consideration House Bill No. 193 and recommend that it do not pass.

Also House Bill No. 253 and recommend that it do pass.

Also Senate Bill No. 56 and recommend that it do pass.

NIHART,
Chairman.

Report adopted, and House Bill No. 253 ordered engrossed.

Senate Bill No. 56 filed for third reading.

Introduction of Bills, Concurrent Resolutions and Joint Memorials.

The following bills were introduced:

H. B. NO. 287, BY JOHNSON.

An Act amending Section 1482d, 1482f and 1482g of the Session Laws of 1909; amending Section 1486 of the Revised Codes of Idaho, as amended by an Act approved March 5, 1909; amending Sections 1492 and 1493 of the Revised Codes of Idaho, and adding to Chapter 31 of Title 8, of the Revised Codes of Idaho, Sections 1493a, 1493b, 1493c, 1493d, 1493e, 1493f, 1493g, 1493h, 1493i, 1493j and 1493k; fixing additional powers and duties of the State Hay and Grain Commission; providing for the inspection of all public scales by the State Hay and Grain Inspector, and licensing same; requiring all weighmasters, agents or superintendents to take out licenses, and fixing the fee therefor; and providing that warehouse men make annual report, and fixing penalties for any violation thereof; making it the duty of the prosecuting attorneys of the several counties of this State to prosecute any and all violations of any of the provisions of this act; making appropriation for carrying into effect the several provisions of this Act relating to the powers and duties of the State Hay and Grain Commission, and for the compensation and expenses of the State Hay and Grain Inspector, and for all minor officers as herein provided; repealing all Acts and parts of Acts conflicting with any of the provisions of this Act.

H. B. NO. 288, BY DAVIS.

An Act prohibiting the issuance of passes or free transportation over any steam or electric railway or steamboat line within the State of Idaho, except to owners, agents or employes of said steam or electric railway or steamboat line; providing for punishment of violations thereof; and repealing Senate Bill No. 53. Approved March 11, 1909.

H. B. NO. 289, BY TAYLOR, NIHART, GLENNON, SMITH AND BOWER.

An Act accepting the provisions of all statutes of the United States relative to the reclamation and irrigation of arid lands in Idaho, and providing for the carrying into effect of such laws; providing for the creation of a Carey Land Act Board of three persons and defining their duties and powers; providing that the State Land Board shall transfer all moneys, books or record and other documents in their possession to the Carey Land Act Board, and making the Carey Land Act Board the successors of the State Land Board in all matters in connection with the Carey Act Lands and in the carrying out of all laws and contracts heretofore made or entered into by said State Land Board, and empowering said Carey Land Act Board to employ all necessary assistance to carry this Act into effect; providing for the duties of the State Engineer in connection with Carey Act lands; creating a fund known as the Carey Land Act Fund, and providing for the duties of the State Treasurer relative to the deposit of said fund, and making an appropriation from said fund for the payment of all salaries and other expenses incurred in carrying this Act into effect; and repealing all those portions of Sections 1613, 1614, 1615, 1616, 1617, 1618, 1619, 1620, 1621, 1622, 1623, 1624, 1625, 1626, 1627, 1628, 1629, 1630, 1631, 1632, 1633 and 1634 of the Political Codes of the Revised Codes of Idaho, which are in conflict with or inconsistent with the provisions of this Act.

H. B. NO. 290, BY CROW (BY REQUEST).

An Act to amend Section 4307 of the Revised Codes of Idaho.

H. B. NO. 291, BY COMMITTEE ON PUBLIC HEALTH (BY REQUEST).

An Act relating to certain diseases of the eyes of infants, and to require any mother of a new born infant to nurse the same for a period of not less than thirty (30) days when such requirement will not be detrimental to the health of such mother or child.

H. B. NO. 292, BY TERRELL (BY REQUEST).

An Act amending Section 1841 of the Political Code of Idaho, so as to provide for the licensing of itinerant merchants.

H. B. NO. 293, BY NIHART.

An Act providing a means and manner of securing a permit to store the public waters of the State of Idaho in storage reservoirs and for the application of such stored water to beneficial use; and declaring an emergency.

H. B. NO. 294, BY NIHART.

An Act providing for imposing a lien for moneys spent on labor performed in cleaning or repairing any irrigating canal, ditch or lateral, the common property of two or more persons; and providing means for the foreclosure of such lien.

H. B. NO. 295, BY NIHART.

An Act to amend Section 3271 of the Revised Codes of Idaho relating to the compensation of water commissioners.

H. B. NO. 296, BY COMMITTEE ON BANKS AND BANKING.

An Act relating to an insurance department in and for the State of Idaho, providing for the appointment of a State Insurance Commissioner and prescribing his qualifications, duties and compensation; providing for the appointment of a Deputy Insurance Commissioner and prescribing his qualifications, duties and compensation;

and to regulate the insurance companies and fraternal and benevolent orders and societies and others doing business therein: Providing penalties for violations thereof; and repealing Sections 161, 162, 163, 164, 165, 166, 167, 168, 169, 2855, 2856, 2857, 2858, 2859, 2860, 2861, 2862, 2863, 2864, 2865, 2866, 2867, 2868, 2869, 2870, 2871, 2872, 2873, 2874, 2875, 2876, 2877, 2878, 2879, 2880, 2881, 2882, 2883, 2884, 2885, 2886, 2887, 2888, 2905, 2906, 2907, 2908, 2909, 2910, 2911, 2912, 2913, 2914, 2915, 2916, 2917, 2918, 2919, 2920, 2921, 2922, 2923, 2924, 2925, 2926, 2927, 2928, 2929, 2930, 2931, 2932, 2933, 2934, 2935, 2936, 2937, 2938, 2939, 2940, 2941, 2942, 2943, 2944, 2945, 2946, 2947, 2948, 2949, 2950, 2951, 2952, 2953, 2954, 2955, 2956, 2957, 2958, 2959, 2960 of the Revised Codes of Idaho.

Messages From the Senate.

The following message was received from the Senate:

Mr. Speaker:

I have the honor to transmit herewith House Bill No. 169, House Bill No. 4 and Senate Bill No. 71, which have passed the Senate.

CHARLES J. LISLE,

Assistant Secretary of Senate.

House Bills Nos. 4 and 169 ordered enrolled. Senate Bill No. 71 filed for first reading.

First Reading of House Bills, Concurrent Resolutions and Joint Memorials.

The following House Bills were read first time in full:

H. B. No. 287, by Johnson.

H. B. No. 288, by Davis.

H. B. No. 289, by Taylor, Nihart, Glennon, Smith and Bower.

H. B. No. 290, by Crow (by request).

H. B. No. 291, by Committee on Public Health.

H. B. No. 292, by Terrell.

H. B. No. 293, by Nihart.

H. B. No. 294, by Nihart.

H. B. No. 295, by Nihart.

H. B. No. 296, by Committee on Banks and Banking.

First Reading of Printed Amendments to House Bills.

Printed amendments to House Bills were read first time in full:

H. B. No. 98.

H. B. No. 94.

Second Reading and Reference of House Bills, Concurrent Resolutions and Joint Memorials.

The following House Bills were read the second time in full:

H. B. No. 55, by Smith (as amended by the Senate).

H. B. No. 280, by Strode.

H. B. No. 281, by Jones.

H. B. No. 282, by Hyde (by request).

H. B. No. 283, by Edgington.

H. B. No. 284, by Committee on Agriculture and Horticulture.

H. B. No. 285, by Davis.

H. B. No. 286 (substitute for H. B. No. 221), by Jayne.

Reference of Bills.

Speaker referred the following bills to their respective committees:

H. B. No. 280, Privileges and Elections.

H. B. No. 281, Judiciary.

H. B. No. 282, Judiciary.

H. B. No. 283, Judiciary.

H. B. No. 284, Agriculture and Horticulture.
H. B. No. 285, Charitable and Penal Institutions.
H. B. No. 286, Roads, Bridges and Ferries.
S. B. No. 7, Judiciary.
H. B. No. 62, Roads, Bridges and Ferries.

Second Reading of Printed Amendments to House Bills.

Printed amendments to the following House Bills were read second time in full:

H. B. No. 108.
H. B. No. 74.
H. B. No. 142.
H. B. No. 157.
H. B. No. 72.
H. B. No. 51.
H. B. No. 63

Third Reading of House Bills, Concurrent Resolutions and Joint Memorials and Final Action Thereon.

HOUSE BILL NO. 41, BY JOHNSON, ET AL., read a third time at length, section by section, for final action.

Moved by Eckles and seconded by Johnston, that House Bill No. 41 be referred to the Committee on Appropriations.

Motion carried.

HOUSE BILL NO. 214, BY JAYNE, read a third time at length, section by section, for final action

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Johnson, Johnston, Jones, Kerby, Leaf, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 56. Ayes, 56. Nays, none. Absent, not voting, 3.

And so the bill passed, title was approved, and House Bill No. 214 ordered transmitted to the Senate

HOUSE BILL NO. 68, BY JOHNSTON (BY REQUEST OF THE STATE BOARD OF HEALTH) read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Ceaser, Crow, Dunning, Edgington, Eimers, Featherstone, Friend, Galloway, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hyde, Hutton, Jacobs, Jayne, Johnson, Johnston, Jones, Leaf, McCabe, Nelson, Nielsen, Oakes, Parker, Pincock, Smith, Stephens, Taylor, Terrell, Thompson, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Eckles, Gibson, Walker.

Total number of votes, 48. Ayes, 45. Nays, 3. Absent, not voting, 11.

And so the bill passed, title was approved, and House Bill No. 68 ordered transmitted to the Senate.

HOUSE BILL NO. 186, BY COMMITTEE ON PUBLIC HEALTH, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Bower, Black, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Featherstone, Galloway, Gibson, Glennon, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Johnson, Johnston, Jones, Leaf, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 51. Ayes, 51. Nays, none. Absent, not voting, 8.

And so the bill passed, title was approved, and House Bill No. 186 ordered transmitted to the Senate.

HOUSE BILL NO. 190, BY FRIEND, read a third time at length, section by section, for final action.

Moved by Gibson, and seconded by Wilson, that House Bill No. 190 be referred to the Committee on Appropriations.

Motion carried.

HOUSE BILL NO. 183, BY MORGAN, read a third time at length, section by section, for final action.

Moved by Hutton, and seconded by Johnston, that House Bill No. 183 be laid over until the author of the bill be present.

Motion carried, and House Bill No. 183 retained on the calendar for third reading.

HOUSE BILL NO. 191, BY FRIEND AND STEPHENS, read a third time at length, section by section, for final action.

Moved by Jones, and seconded by Sanborn, that House Bill No. 191 be referred to the Committee on Appropriations.

Motion carried.

HOUSE BILL NO. 197, BY BALDRIDGE, read a third time at length, section by section, for final action.

By unanimous consent, Mr. Christian, Superintendent of the Children's Home Finding Society, was invited to address the House on behalf of House Bill No. 197.

Moved by Hill, and seconded by Hellekson, that House Bill No. 197 be referred to the Committee of the Whole for amendment.

Motion carried.

Report of Enrolling Committee.

The Committee on Engrossed and Enrolled Bills submitted the following report:

Mr. Speaker:

We, your Committee on Engrossed and Enrolled Bills, beg leave to report House Bills Nos. 120 and 184 and House Joint Memorial No. 5 and House Concurrent Resolution No. 6 as correctly enrolled.

GLENNON,
Chairman.

Report received.

Speaker in the presence of the House signed House Bills Nos. 120 and 184 and House Joint Memorial No. 5 and House Concurrent Resolution No. 6.

Unanimous consent was given to return to the Ninth Order of Business.

Motions and Resolutions.

Edgington introduced the following House Concurrent Resolution and moved its adoption.

H. C. R. NO. 8, BY EDGINGTON.

A resolution annulling and rescinding the action of the Legislature in relation to Senate Concurrent Resolution No. 5.

Whereas, both Houses of the Legislature have concurred in Senate Concurrent Resolution No. 5, in relation to the common school lands of the State; and,

Whereas, certain contemplated Acts, as provided for in said resolution as unnecessary;

Now, therefore, be it resolved by the House of Representatives, the Senate concurring, that said joint action be and hereby is rescinded and annulled.

Seconded by Kerby

Davis moved as a substitute motion that the resolution be referred to the Committee on State Affairs

Seconded by Crow.

Motion withdrawn

Kerby called for the previous question

Seconded by Dunning.

Carried.

The question was then upon the adoption of Concurrent Resolution No. 8.

Roll call was demanded with the following result:

Ayes—Arthur, Dunning, Eckles, Edgington, Friend, Galloway, Gibson, Hellekson, Hendricks, Hill, Holmberg, Hyde, Jayne, Kerby, Nelson, Parker, Pincock, Sanborn, Sorenson, Stephens, Strode, Terrell, Walker, Wilson.

Nays—Allred, Baldrige, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Eimers, Farmin, Featherstone, Glennon, Hanmer, Hutton, Jenson, Johnson, Johnston, Jones, McCabe, Nielsen, Nihart, Oakes, Smith, Taylor, Thompson, Warnick, Mr. Speaker.

Total number of votes, 54 Ayes, 24 Nays, 30. Absent, not voting, 5.

And so the resolution failed to pass

Speaker then announced that he would appoint Crow as the House member on the committee authorized by Senate Concurrent Resolution No. 5.

Crow stated that he wished to resign his place on the committee as other duties would prevent his serving. Speaker accepted the resignation of Crow, and stated that he would take further time to make make another selection.

Unanimous consent was given to make the General Calendar the special order of business for this afternoon.

On motion of Sanborn, House took a recess until 2 p. m.

Afternoon Session.

House met pursuant to adjournment Mr. Speaker in the chair.

Roll call showed all members present except Morgan, who was excused.

Special Order.

House resolved itself into Committee of the Whole for the consideration of the General Calendar. Davis in the Chair.

House in Regular Session.

The Committee of the Whole submitted the following report:

Mr. Speaker:

The Committee of the Whole have had under consideration the General Calendar and makes the following recommendations:

That House Bill No. 158 be laid over and retain its place on the Calendar.

That House Bill No. 150 be amended as follows:

In title, "eight thousand dollars (\$8,000)" be stricken out and "twelve thousand dollars (\$12,000)" be inserted in its place.

Section 2. In lines 11 and 12, after the word "receive," the words "the sum of five dollars (\$5) per day and," be stricken out.

Section 9. Line 11, "seven (7)," be stricken out and "six (6)" be inserted.

Section 10. Line 6, the words "seven (7)," be stricken out and "forty (40)" be inserted.

Section 16. Lines 3 and 4, after the word "than," "eight thousand dollars (\$8,000)," be stricken out and "twelve thousand dollars (\$12,000)" be inserted.

And that as so amended the bill do pass.

That House Bill No. 202 be laid over and retain its place on the Calendar.

That House Bill No. 181, be amended as follows:

That in line 7 of Section 1, the words and figures "one hundred twenty-five dollars (\$125)" be stricken out, and the words and figures "one hundred dollars (\$100)" be substituted therefor.

That in line 2 of Section 5 the words and figures "three thousand dollars (\$3,000)" be stricken out and that the words and figures "twenty-four hundred dollars (\$2400)" be substituted therefor.

That in Section 5 the words after the word "stated," in line 3, be stricken out. Also all of lines 4, 5 and 6 in Section 5 be stricken out.

And that as so amended the bill do pass.

That House Bill No. 83, with the amendments by the Committee on Public Health, be committed to the Judiciary Committee.

That House Bill No. 185 be amended by striking out Section 3, the emergency clause, and that as thus amended the bill do pass.

That House Bill No. 187 be amended as follows:

In line 6, Section 13, strike out the word "and" and insert the word and comma "or," and between the words "weight" and "stamped" insert the word "plainly." And after the word "label," in line 7, Section 13, insert the words "in letters not less than a half inch high."

Line 1, Section 14, strike out the words and figures "two (2) pounds" and insert the words "not less than 16 ounces."

In line 3, Section 14, strike out the words "half and quarter" and insert in lieu thereof "and half."

In line 1 of Section 15 between the words "of" and "shall" insert the word "butter."

In line 4, Section 15, strike out the words "be made upon a label attached thereto" and insert the words "be distinctly printed on the wrapper thereof."

In line 16 of Section 16 strike out the word "be" and insert in lieu thereof the words "take place."

In line 3, Section 24, after the figures "(5,000)" insert the word "pounds."

And as thus amended the bill do pass.

That House Bill No. 149 be amended as follows:

By striking out in line 3, Section 14, "in advanced stage" and inserting in place thereof "killed after the three-fourths stage period," and by striking out in said line "showing signs of preparation for parturition."

That Section 6 be amended by striking out, in line 6 thereof, the words "toilet paper;" also by striking out the words "running water" in said line, and inserting in place thereof "ample water supply."

That Section 17 be amended by inserting after the word "conditions" in line 4 thereof the following:

"Provided, that in rural communities where no regular water system is available, hot and cold water shall be supplied in a manner sufficient to keep the slaughter house in a sanitary condition at all times."

That Section 20 be amended by inserting at the end of said section the words "and flies."

That after the words "a fee of ten dollars (\$10)" in lines 9 and 10 of Section 26 insert the following words:

"In all places killing one to ten animals per week; a fee of \$15 00 in all places killing from ten to twenty animals per week; a fee of \$20.00 in all places killing from twenty to thirty animals per week, and a fee of \$25.00 for places killing more than thirty animals per week"

Section 28 be amended by substituting in lines 3 and 4 thereof the words and figures "three hundred dollars (\$300)" for the words and figures "five hundred dollars (\$500)" and by adding after the said words and figures the following: "and not less than twenty-five dollars (\$25.00)."

That Section 30, being the emergency clause thereof, be stricken out.

And that as so amended the bill do pass.

DAVIS,
Chairman

Moved by Davis, and seconded by Gibson, that report of the Committee of the Whole be adopted.

Motion carried.

Report adopted

Reports of Standing Committees.

The Judiciary Committee submitted the following report.
Mr. Speaker.

We, your Committee on Judiciary, respectfully report that we have had under consideration House Bill No 236, and recommend that it do pass.

FEATHERSTONE,
Chairman.

Report adopted, and House Bill No. 236 ordered engrossed

The Committee on Printing submitted the following report:

Mr. Speaker:

Your Committee on Printing herewith report that we have had correctly printed and distributed the following: House Bills Nos. 245, 259, 261, 262, 264, 265, 266 and 267; amendments to House Bills Nos 75 and 203; amendments to Senate Bills Nos. 8, 14 and 27.

Report received.

JONES,
Chairman.

Message From the Senate.

The following message was received from the Senate:

Mr. Speaker:

I have the honor to transmit herewith Senate Bills Nos. 41, 44, 51, 78, 81, 88, 53 and Senate Joint Memorial No. 4, which have passed the Senate.

Also House Bills Nos 117, 56, 124, 126 and 73, which have passed the Senate.

Also House Bill No. 87, amended in the Senate, and House Bill No. 111, amended in the Senate, which have passed the Senate

CHARLES J. LISLE,
Assistant Secretary of Senate.

Message received, and Senate Bills Nos. 44, 41, 51, 78, 87, 88, 53 and Senate Joint Memorial No 4 filed for first reading.

House Bills Nos. 117, 56, 124, 126 and 73 referred to Enrolling Committee and ordered enrolled.

Amendments to House Bills Nos 87 and 111 filed for first reading

Introduction of Bills, Concurrent Resolutions and Joint Memorials.

The following bills were introduced:

H. B. NO. 297, BY WARNICK AND HILL

An Act to provide for State aid to High Schools; providing for a tax levy for such purpose; defining the conditions upon which such fund may become available to High Schools, and directing how such funds shall be apportioned.

H. B. NO. 298, BY JACOBS AND WOOD.

An Act to amend the charter of the City of Lewiston, amending Sections 11, 13, 14, 16 and 17 of an Act entitled: "An Act to amend an Act entitled: An Act to amend the charter of the City of Lewiston, approved February 9, 1881," and to amend an Act entitled: "An Act supplementary to an Act, entitled: "An Act to amend the charter of the City of Lewiston," approved February 9, 1881, "approved February 10, 1881, and to amend an Act entitled: "An Act to amend an Act, entitled: 'An Act to amend Section 7 (concerning streets and sidewalks, sewers, and special taxes therefor), of an Act of the Legislature assembly of the Territory of Idaho, entitled: "An Act to amend the charter of the City of Lewiston, approved February 9, 1881, by adding thereto authority to grade, curb, gutter, pave, macadamize, or plank streets and alleys and authority to levy and collect special assessments, upon the property to be benefited by such improvements, and any improvements provided by said Section 7, and providing any improvements provided for under Section 7, providing for the collection thereof, upon the property benefited," approved March 6, 1899, and to amend an Act entitled: "An Act to amend Section 20 (concerning borrowing money and limitation of indebtedness), of an Act of the legislative assembly of the Territory of Idaho, entitled: "An Act to amend the charter of the City of Lewiston," approved February 9, 1881, as amended by an Act of the Legislature of the State of Idaho, entitled: 'An Act to amend an Act, entitled: "An Act to amend the charter of the City of Lewiston," approved February 10, 1881, as amended also by an Act of the Legislature of the State of Idaho, entitled: 'An Act authorizing the City of Lewiston to incur certain indebtedness, providing the purpose for which it shall be incurred, and fixing the limit thereof, providing for the issuance of bonds for the payment of such or any existing indebtedness, amending an Act, entitled: An Act to amend the charter of Lewiston," approved February 9, 1881, "approved February 9, 1899, by increasing the capacity of the said city, to borrow money, defining the purpose for which the same may be borrowed, and authorizing said city to issue therefor, its negotiable bonds, with negotiable interest coupons attached and providing for the levy of taxes to pay the principal and interest on such bonds, approved March 6, 1899," and to amend an Act, entitled: 'An Act to amend Section 4 (concerning the fire department, taxes and and fire hydrants) of an Act of the legislative assembly of the Territory of Idaho, entitled: "An Act to amend the charter of the City of Lewiston, approved February 9, 1881," as amended by an Act of the Legislature of the Territory of Idaho, entitled: 'An Act to amend an Act, entitled, "An Act to amend the charter of the City of Lewiston," approved February 10, 1881, by extending the power of said city to regulate the erection of wooden buildings, within the fire limits, entrances and exits and fire escapes," approved March 6, 1899, and to amend an Act, entitled, "An Act to amend Section 3 of an Act to amend the charter of the City of Lewiston, approved February 9, 1881," by adding to said Section 3, a provision enabling the City of Lewiston, Idaho, to levy a tax for the purpose of a reading room and library, in addition, if necessary, to the one and one-half per cent per annum, annually on the property assessed," approved March 13, 1899, and an Act to amend an Act, entitled: "An Act providing for the lighting of the City of Lewis-

ton, and for the levying and collecting of a tax therefor; amending Sections 6, 81, 82 and 83, of an Act to amend the charter of the City of Lewiston, approved February 9, 1881," approved February 14, 1899, and to amend an Act, entitled "An Act authorizing the City of Lewiston to incur certain indebtedness, providing the purpose for which it shall be incurred, and fixing the limit thereof; providing for the issuance of bonds, for the payment of such or any existing indebtedness, amending an Act, entitled 'An Act to amend the charter of Lewiston,' approved February 9, 1881, and to amend an Act, entitled 'An Act to amend the charter of Lewiston, supplementary to an Act, entitled 'An Act to amend the charter of Lewiston,' approved February 9, 1881, approved March 16, 1901, and thereby extending the powers and limits of said city, and describing and defining the power and duties of certain officers of said city, and to provide for the collection of special assessments, and to provide for the collection of general city taxes, by the County Assessor and Tax Collector of Nez Perce County, Idaho, and establishing a new and complete charter for said city, approved March 9, 1903, and to establish the name, boundaries and corporate powers of said city, to provide for the Government thereof and the exercise of police and governmental powers therein, and the selection and removal of officers; to provide for general and special elections and the submission of questions and matters thereat, designating the power to be exercised by the mayor and council and other city officers and the manner of exercising the same, authorizing the granting of franchises and designating the manner thereof; providing for the regulation of trades and employments and of public utilities and public service corporation, and the acquiring and operation of public utilities; providing for the assessment of property and the levy and collection of taxes; and for the collection of the same by the County Tax Collector of Nez Perce County, for the creating of improvement districts and the making of special improvements at the cost and expense of the property thereby benefited, in whole or in part, and for the assessment, levy and collection of taxes and assessments therefor and for the payment of the same in installments when required and for the issuance of special improvement bonds or warrants, and for the sale of property for delinquent taxes; for appeals from the actions of the council in such matters and requiring objections to be made as herein provided; providing for the care, safe keeping, deposit and investment of public moneys and the collection and disbursement of the same; for the issuance of negotiable bonds for purposes authorized by this Act and for the payment of the principal and interest thereof, for the acquiring of property and the sale, lease or other disposition thereof; for the making of contracts and conveyances; the initiation and reference of matters, the construction of sidewalks and the collection of the expense thereof when paid by the city, for annexing territory; making this Act a public act and providing for reference thereto; delegating to said city the power and authority to do all acts and things necessary to the exercise of its municipal functions or incidental thereto, or to the management and control of the corporate property and business or to the welfare, health, morals, peace, and good order of the inhabitants thereof; and the exercise of all police, Governmental and other powers and authority necessary, expedient or incidental to the exercise of the powers herein conferred or the duties hereby imposed; granting to said city full governmental and police powers and all powers incident to like corporations at common law or under the laws of this State, not inconsistent with the powers herein granted; and establishing a new, full and complete charter for said city," approved March 13, 1907, by amending Sec-

tion 11 to provide for the appointment of the chief of police by the Mayor, subject to confirmation by the council; Section 13, by excepting the chief of police from the force and effect of the provisions of said Section 13, and providing for the manner of confirmation of appointments of officers and employes made by the Mayor; Section 14, by excepting the chief of police from the force and effect of the provisions of said Section 14; Section 16, by adding thereto, provisions relating to the term of office of chief of police, and giving the mayor sole power of removal of officers and members of the police department, etc., Section 17, by excepting the chief of police from the force and effect of the provisions of said section.

H. B. NO. 299, BY COMMITTEE ON MINES AND MINING (BY REQUEST).

An Act regulating the hours of employment in underground mines, tunnels and in stamp mills, smelting and reduction works.

H. B. NO. 300, BY BRADFORD, CROW, CEASER, STOREY AND WILSON.

An Act to amend Sections 2, 3, 42, 51, 52, 56 and 61 of an Act entitled, "An Act to amend an Act entitled, "An Act to incorporate Boise City, in Ada County," (Approved January 11, 1866), and to amend an Act entitled, "An Act amending the Charter of the City of Boise; amending Sections 3, 5 and 9 of an Act incorporating the City of Boise, approved January 11, 1886, being Sections 130, 132 and 138 of the Special and Local Laws of Idaho," (Approved February 21, 1899) and to amend an Act entitled, "An Act to amend an Act entitled, 'An Act to incorporate Boise City, in Ada County,' " (Approved January 11, 1866) and to amend an Act entitled, "An Act to amend Sections 3, 5 and 9 of an Act incorporating the City of Boise, approved January 11, 1866, being Sections 130, 132 and 138 of the Special and Local Laws of Idaho," (Approved February 21, 1899) and thereby prescribe and define the powers and duties of certain officers of said city and to provide for the assessing and collecting of city taxes by the County Assessor and Tax Collector of Ada County, Idaho," (Approved March 4, 1901) and to amend an Act entitled, "An Act to amend Sections 2 and 6 of an Act entitled an Act to amend an Act entitled, "An Act to incorporate Boise City, in Ada County," (Approved January 11, 1866) and to amend an Act entitled an Act to amend Sections 3, 5 and 9 of an Act incorporating the City of Boise, (Approved January 11, 1866) being Sections 130, 132 and 138 of the Special and Local Laws of Idaho," (Approved February 21, 1899) and thereby prescribe and define the powers and duties of certain officers of said city, and to provide for the assessing and collecting of city taxes by the County Assessor and Tax collector of Ada County, Idaho, (Approved March 4, 1901) extending and defining the boundaries of Boise City, and providing for the creation and organization of the fourth ward of Boise City, and for holding a special election therein (Approved March 11, 1903), and thereby making provisions for the annexation of territory, extending the city boundaries of said city, changing the number, mode of election and length of terms of councilmen, changing the time of holding city elections, providing a method of nominating elective officers, changing the manner of the appointment of city officers and the removal thereof, defining the powers and duties of the Mayor and council, prescribing penalties for the violation of city ordinances, limiting the levy of taxes and appropriation of money, enlarging the jurisdiction of the city over nuisances and enlarging the police powers and defining its powers of imposing licenses and taxes and regulating trades, occupations and businesses, defining the qualifications, powers and duties of city officers, defining the jurisdiction of the City Magistrate and providing

a method of appeal, creating an Auditing Committee, a Sinking Fund Commission and a Board of Public Works, regulating the granting of franchises and the operation thereof, providing for an official city newspaper, providing a method of impeachment of city officers (Approved February 22, 1907)," and to amend Section 42 of said Act as amended by an Act entitled, "An Act to amend Section 42 and Section 48 of an Act entitled, "An Act to incorporate Boise City, in Ada County," (approved January 11, 1866) and to amend an Act entitled, "An Act amending the Charter of the City of Boise; amending Sections 3, 5 and 9 of an Act incorporating the City of Boise, (Approved January 11, 1866), being Sections 130, 132 and 138 of the Special and Local Laws of Idaho," (Approved February 21, 1899) and to amend an Act entitled, "An Act to amend an Act entitled, 'An Act to incorporate Boise City, in Ada County,' (Approved January 11, 1866), and to amend an Act entitled, "An Act to amend Sections 3, 5 and 9 of an Act incorporating the City of Boise, (Approved January 11, 1866), being Sections 130, 132 and 138 of the Special and Local Laws of Idaho," (Approved February 21, 1899), and thereby prescribe and define the powers and duties of certain officers of said city, and to provide for the assessing and collecting of city taxes by the County Assessor and Tax Collector of Ada County, Idaho," (approved March 4, 1901) and to amend an Act entitled, "An Act to amend Sections 2 and 6 of an Act entitled an Act to amend an Act entitled, "An Act to incorporate Boise City, in Ada County," (Approved January 11, 1866) and to amend an Act entitled, "An Act to amend Sections 3, 5 and 9 of an Act incorporating the City of Boise (Approved January 11, 1866), being Sections 130, 132 and 138 of the Special and Local Laws of Idaho," (Approved February 21, 1899), and thereby prescribe and define the powers and duties of certain officers of said city, and to provide for the assessing and collecting of city taxes by the County Assessor and Tax Collector of Ada County, Idaho, (Approved March 4, 1901) extending and defining the boundaries of Boise City, and providing for the creation and organization of the fourth ward of Boise City, and for holding a special election therein (Approved March 11, 1903), and thereby making provision for the annexation of territory, extending the city boundaries of said city, changing the number, mode of election and length of term of councilmen, changing the time of holding city elections, providing a method of nominating elective officers, changing the manner of the appointment of city officers and the removal thereof, defining the powers and duties of the Mayor and council, prescribing penalties for the violation of city ordinances, limiting the levy of taxes and the appropriation of money, enlarging the jurisdiction of the city over nuisances and enlarging the police powers and defining its powers of imposing licenses and taxes and regulating trades, occupations and business, defining the qualifications, powers and duties of city officers, defining the jurisdiction of the City Magistrate and providing a method of appeal, creating an Auditing Committee, a Sinking Fund Commission and a Board of Public Works, regulating and granting of franchises and the operation thereof, providing for an official city newspaper, providing a method of impeachment of city officers," (Approved the 22nd day of February, 1907) and thereby making provisions for the issuing of municipal coupon bonds, and for the paying of special assessments in installments, and for the issuing of district improvement bonds, and making provisions for the re-issuance of municipal coupon bonds and district improvement bonds in cases where the first issuance has heretofore been or may hereafter be declared invalid or void by any order or decree of court, (Approved March 11, 1909), thereby extending the boundaries of Boise City, making additional provisions for the annexation of territory, pro-

viding a method to assess property benefited by the opening, establishment and vacation of streets, avenues and lanes, more especially defining the powers and duties of the Board of Public Works, the City Engineer and the Street Commissioner and changing the provision relating to granting of franchises."

H. B. NO. 301, BY BRADFORD.

An Act for the relief of Schmelzel and Gallup; and appropriating therefor the sum of eighty-one dollars and sixty-five cents (\$81.65).

H. B. NO. 302, BY BRADFORD (BY REQUEST).

An Act providing for the appointment of a minister of the gospel for the Soldiers' Home; defining his Duties; and fixing his compensation therefor.

H. B. NO. 303, BY FEATHERSTONE.

An Act to amend Section 2122 of the Revised Codes of Idaho, relating to Sheriff's fees.

H. B. NO. 304, BY GLENNON AND FEATHERSTONE.

An Act to amend Section 4307 of the Code of Civil Procedure of the Revised Codes of Idaho, relating to the execution of writs of attachment.

First Reading of House Bills, Concurrent Resolutions and Joint Memorials.

The following bills were read first time in full:

H. B. No. 111, by Smith (amended by the Senate).

H. B. No. 87, by Hanmer (amended by the Senate).

H. B. No. 297, by Warnick and Hill.

H. B. No. 298, by Jacobs and Wood.

H. B. No. 299, by Committee on Mines and Mining

H. B. No. 300, by Bradford, Crow, Ceaser, Storey and Wilson

H. B. No. 301, by Bradford.

H. B. No. 302, by Bradford (by request).

H. B. No. 303, by Featherstone.

H. B. No. 304, by Glennon and Featherstone.

First Reading of Printed Amendments to House Bills.

Printed amendments to the following House Bills were read first time in full:

H. B. No. 75.

H. B. No. 203.

Appointment By Speaker.

Speaker announced the appointment of Representative L. E. Glennon as the House member on committee to go to Washington, D. C., to confer with the Department of the Interior in an endeavor to bring about an adjustment of the controversy as to lands claimed by the State of Idaho.

First Reading of Printed Amendments to Senate Bills.

Printed amendments to the following Senate bills were read first time in full:

S. B. No. 27.

S. B. No. 14.

S. B. No. 8.

First Reading of Senate Bills, Concurrent Resolutions and Joint Memorials.

The following Senate Bills were read first time in full:

S. B. No. 71.

S. B. No. 81.

S. B. No. 78.

S. B. No. 51.

S. B. No. 44.

S. B. No. 88.

S. B. No. 53.

S. B. No. 41.

S. J. M. No. 4.

A communication was received and read from Edward Payne, President of the Inter-Mountain State Fair Association, in regard to an appropriation for the State Fair. Same was referred to the Committee on Appropriations.

Moved by Davis and seconded by Walker that House adjourn until 9 A. M. Friday.

Motion carried.

House adjourned.

CHARLES D. STOREY,

Speaker.

JAMES H. WALLIS,

Chief Clerk.

FRIDAY, FORTIETH DAY, FEBRUARY 10, 1911.

Morning Session.

Hall of the House of Representatives,
Boise, Idaho, February 10, 1911.

House met pursuant to adjournment Mr. Speaker in the Chair.

Prayer was offered by the Chaplain.

Roll call showed all members present except Morgan and Glennon, excused.

Journal for the thirty-ninth day was read.

The Committee on Journal submitted the following report:

Mr. Speaker:

We, your Committee on Journal, beg leave to report that we have had under consideration the Journal for the thirty-ninth day and have corrected the same, and move that the Journal for that day be approved.

WARNICK,

Chairman.

Report adopted, and Journal for the thirty-ninth day approved.

Reports of Standing Committees.

The Committee on Printing submitted the following report:

Mr. Speaker:

Your Committee on Printing herewith report that we have had correctly printed and distributed the following:

House Bills Nos. 209, 251, 258, 260, 268, 270, 283, 285, 278, 272, 282 and 263 Amendments to House Bills Nos. 82, 143, 192, 107. House Joint Memorial No. 7.

The following have been read by copy, corrected and sent to the printer: House Bills Nos. 287, 288, 289, 290, 291, 292, 293, 294, 295, 297, 301, 302, 303, 304.

JONES,

Chairman

Report received.

The Committee on Cities and Towns submitted the following report:

Mr. Speaker:

The Committee on Cities and Towns, having had under consideration Senate Bill No. 10, by Kerns, return the same with the following recommendation:

After the word "improvements" and before the word "be," in line

4 of Section 1, insert the words "or any street improvements of any kind authorized by general law to be made in cities, towns and villages of this State."

In line 7, after the word "improvement" and before the word "against," insert the words "or any street improvements of any kind authorized by general law to be made in cities, towns and villages of this State."

That with the above amendments the bill do pass.

BLACK,
Chairman.

Report received.

The Committee on Judiciary submitted the following report:

Mr. Speaker:

We, your Committee on Judiciary, beg leave to report that we have had under consideration Senate Bill No. 42 and recommend that it do pass.

FEATHERSTONE,
Chairman.

Report received and Senate Bill No. 42 filed for third reading.

The Committee on Railroads, Carriers and Other Public Corporations submitted the following report:

Mr. Speaker:

We, your Committee on Railroads, Carriers and Other Public Corporations, having had under consideration House Bill No. 155, by Smith and Crow, report the same back to the House with the recommendation that it do pass.

DAVIS,
Chairman.

Minority Report.

Mr. Speaker:

We, the minority of the Committee on Railroads, Carriers and Other Public Corporations, recommend that House Bill No. 155, by Smith and Crow, do not pass.

JENSEN,
PARKER,
HYDE.

Report accepted.

The Committee on State Affairs submitted the following report:

Mr. Speaker:

We, your Committee on State Affairs, having had under consideration House Bill No. 196, by Bell, beg leave to report that we recommend that the bill do pass.

JOHNSTON,
Chairman.

Report received, and House Bill No. 196 referred to the Engrossing Committee.

The Committee on Engrossed and Enrolled Bills submitted the following report:

Mr. Speaker:

We, your Committee on Engrossed and Enrolled Bills, beg leave to report House Bills Nos. 39, 142, 253, 63, 237, 228, 72, 236 and 209 correctly engrossed.

BOWER,
Acting Chairman.

Report accepted and House Bills Nos. 39, 142, 253, 63, 237, 228, 72, 236 and 209 filed for third reading.

The Committee on Agriculture and Horticulture submitted the following report:

Mr. Speaker:

We, your Committee on Agriculture and Horticulture having had

under consideration House Bill No. 278, by Johnston, hereby render our report as follows:

We recommend that in line 3, Section 3, the words and figures "seventy (70)" be stricken out and the words and figures "seven (7)" be inserted in lieu thereof.

And that the bill as so amended do pass.

SMITH,
Chairman.

Report received.

Motions and Resolutions.

Moved by Hill and seconded by Johnston that House Bill No. 32 be taken from the table and referred to the Committee on Appropriations.

Motion carried.

Introduction of Bills, Concurrent Resolutions and Joint Memorials.

The following bills were introduced:

H. B. NO. 305, BY WILSON.

An Act making it a misdemeanor for any person, guest, occupant or tenant of any dwelling house, rooming house, lodging house, apartment house or hotel to tamper with the electric light system by removing globes, attaching plugs, wires or any other apparatus or device for operating irons, heaters, toasters, motors, batteries or other devices; and prescribing penalties therefor.

H. B. NO. 306, BY NIHART.

An Act to amend Section 3241 of the Revised Codes of the State of Idaho in relation to the measurement of water.

H. B. NO. 307, BY GLENNON.

An Act to amend Section 2119 of the Revised Codes of the State of Idaho.

H. B. NO. 308, BY GLENNON.

An Act to amend Section 4460 of the Revised Codes of the State of Idaho.

H. B. NO. 309, BY GLENNON (BY REQUEST).

An Act to amend Section 2118 of the Revised Codes of Idaho as amended by an Act entitled, "An Act to amend Section 2118 of the Political Code, Revised Codes of Idaho, regarding the salaries of county officers," approved March 15, 1909.

H. B. NO. 310, BY CROW.

An Act to amend Chapter 30 of the Political Code of the Revised Codes of Idaho, by adding thereto Section 1477a.

H. B. NO. 311, BY STRODE, EDGINGTON, MORGAN, BLACK, CROW, DAVIS AND BRADFORD.

An Act making combinations in restraint of trade illegal; providing penalties for the violation thereof and the method of procedure in prosecuting or restraining such violation; and repealing Senate Bill No. 127, approved March 11, 1909.

Message From the Senate.

The following message was received from the Senate:

Mr. Speaker:

I have the honor to transmit herewith House Bills Nos. 136 and 139 which have passed the Senate

CHARLES J. LISLE,
Assistant Secretary of Senate

Report received and House Bills Nos. 136 and 139 ordered enrolled.

First Reading of House Bills, Concurrent Resolutions and Joint Memorials.

The following House Bills were read first time in full:

- H. B. No. 305, by Wilson.
- H. B. No. 306, by Nihart.
- H. B. No. 307, by Glennon.
- H. B. No. 308, by Glennon.
- H. B. No. 309, by Glennon.
- H. B. No. 310, by Crow.
- H. B. No. 311, by Strode, Edgington, Morgan, Black, Crow, Davis and Bradford.

First Reading of Printed Amendments to House Bills.

Printed amendments to the following House Bills were read the first time in full:

- H. B. No. 82.
- H. B. No. 143.
- H. B. No. 192.
- H. B. No. 107.

Second Reading and Reference of House Bills, Concurrent Resolutions and Joint Memorials.

The following House Bills were read the second time in full:

- H. B. No. 287, by Johnson.
- H. B. No. 288, by Davis.
- H. B. No. 289, by Taylor, Nihart, Glennon, Smith and Bower.
- H. B. No. 290, by Crow (by request).
- H. B. No. 291, by Committee on Public Health (by request).
- H. B. No. 292, by Terrel (by request).
- H. B. No. 293, by Nihart.
- H. B. No. 294, by Nihart.
- H. B. No. 295, by Nihart.
- H. B. No. 296, by Committee on Banks and Banking.
- H. B. No. 297, by Warnick and Hill.
- H. B. No. 298, by Jacobs and Wood.
- H. B. No. 299, by Committee on Mines and Mining (by request).
- H. B. No. 300, by Bradford, Crow, Ceaser, Storey and Wilson.
- H. B. No. 301, by Bradford.
- H. B. No. 302, by Bradford (by request).
- H. B. No. 303, by Featherstone.
- H. B. No. 304, by Glennon and Featherstone.
- H. B. No. 87, by Hammer (amended by the Senate).
- H. B. No. 111, by Smith (amended by the Senate).

Reference of House Bills.

The Speaker referred the following bills to their respective committees:

- H. B. No. 287, Warehouse, Grain, Grading and Dealing.
- H. B. No. 288, Railroads, Carriers and Other Public Corporations.
- H. B. No. 289, State Affairs.
- H. B. No. 290, Judiciary.
- H. B. No. 291, Public Health.
- H. B. No. 292, Judiciary.
- H. B. No. 293, Irrigation, Reservoirs and Reclamation.
- H. B. No. 294, Irrigation, Reservoirs and Reclamation.
- H. B. No. 295, Irrigation, Reservoirs and Reclamation.
- H. B. No. 297, Education.

H. B. No. 298, Cities, Towns and Other Municipal Corporations.
H. B. No. 299, State Affairs.
H. B. No. 300, Cities, Towns and Other Municipal Corporations.
H. B. No. 301, Appropriations.
H. B. No. 302, State Affairs.
H. B. No. 303, Judiciary.
H. B. No. 304, Judiciary.

Second Reading of Printed Amendments to House Bills.

Amendments to the following House Bills were read second time in full:

H. B. No. 75.
H. B. No. 203.
H. B. No. 98.
H. B. No. 94

Third Reading of House Bills, Concurrent Resolutions and Joint Memorials and Final Action Thereon.

HOUSE BILL NO. 55, BY SMITH, AS AMENDED IN THE SENATE, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Berry, Black, Bower, Bradford; Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Hanmer, Hellekson, Hendricks, Hill, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Leaf, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 53. Ayes, 53 Nays, none. Absent, not voting, 6.

And so the bill passed, title was approved, and House Bill No. 55 sent to the Enrolling Committee.

HOUSE BILL NO. 141, BY SMITH, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eimers, Farmin Featherstone, Friend, Galloway, Gibson, Hendricks, Hill, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Leaf, McCabe, Nelson, Nielsen, Nihart, Oakes, Pincock, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Eckles, Hellekson, Parker, Sanborn.

Total number of votes, 53. Ayes, 49. Nays, 4. Absent, not voting, 6.

And so the bill passed, title was approved, and House Bill No. 141 ordered transmitted to the Senate.

HOUSE BILL NO. 189, BY HELLEKSON, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" the roll was called with the following result:

Ayes—Arthur, Berry, Bradley, Burrell, Dunning, Eckles, Eimers, Farmin, Hellekson, Hendricks, Hill, Hutton, Hyde, Jacobs, Jayne, Johnston, Jones, Leaf, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wood, Mr. Speaker.

Nays—Allred, Black, Bradford, Ceaser, Crow, Davis, Featherstone, Friend, Gibson, Wilson.

Total number of votes, 47. Ayes, 37. Nays, 10. Absent, not voting, 12.

And so the bill passed, title was approved, and House Bill No. 189 was ordered transmitted to the Senate.

HOUSE BILL NO. 206, BY DAVIS, read a third time at length, section by section, for final action.

The question being "Shall the Bill Pass?" the roll was called with the following result:

Ayes—Allred, Arthur, Berry, Black, Bower, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Hanmer, Hendricks, Hill, Holmberg, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Leaf, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 51. Ayes, 51. Nays, none. Absent, not voting, 8.

And so the bill passed, title was approved, and House Bill No. 206 ordered transmitted to the Senate.

HOUSE BILL NO. 219, BY NIHART, JAYNE, HENDRICKS AND DUNNING, read a third time at length, section by section for final action.

Moved by Davis, and seconded by Jones, that House Bill No. 219 be laid over until next Wednesday morning and retain its place on the calendar for third reading.

Motion carried.

HOUSE BILL NO. 60, BY JONES, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Berry, Bower, Black, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Leaf, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Eckles, Walker.

Total number of votes, 56, Ayes, 54. Nays, 2. Absent, not voting, 3.

And so the bill passed, title was approved, and House Bill No. 60 was ordered transmitted to the Senate.

HOUSE BILL NO. 35, BY ARTHUR (AS AMENDED BY THE SENATE), read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Leaf, McCabe, Nelson, Nielsen, Nihart, Oakes, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 54. Ayes, 54. Nays, None. Absent, not voting, 5.

And so the bill passed, title was approved, and House Bill No. 55 was ordered enrolled.

HOUSE BILL NO. 50, BY BERRY, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hyde, Hutton, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Leaf, McCabe, Nelson, Neilson, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 55, Ayes, 55. Nays, none. Absent, not voting, 4.

And so the bill passed, title was approved, and House Bill No. 50 ordered transmitted to the Senate.

HOUSE BILL NO. 223, BY CROW, read a third time at length, section by section, for final action.

Moved by Strode and seconded by Hutton that H. B. No. 223 be referred to the Committee of the Whole for the purpose of striking out the emergency clause.

Motion lost.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Berry, Bower, Black, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eimers, Farmin, Featherstone, Gibson, Hanmer, Hendricks, Hill, Holmberg, Hyde, Jayne, Jenson, Johnston, Jones, Leaf, McCabe, Nielsen, Nihart, Oakes, Pincock, Sanborn, Smith, Sorenson, Stephens, Taylor, Terrell, Thompson, Warnick, Wilson, Mr. Speaker.

Nays—Eckles, Friend, Hutton, Nelson, Strode, Walker, Wood.

Total number of votes, 49. Ayes, 42. Nays, 7. Absent, not voting, 10.

And so the bill passed, title was approved, and House Bill No. 223 was ordered transmitted to the Senate.

HOUSE BILL NO. 104, BY JAYNE, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes: Allred, Arthur, Baldrige, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Eimers, Farmin, Featherstone, Friend, Gibson, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Leaf, McCabe, Nelson, Nielson, Nihart, Oakes, Parker, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 50. Ayes, 50. Nays, none. Absent, not voting, 9.

And so the bill passed, title was approved, and House Bill No 104 was ordered transmitted to the Senate.

HOUSE BILL NO. 172, BY CROW, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Berry, Black, Bower, Bradford,

Bradley, Ceaser, Crow, Davis, Dunning, Eckles, Eimers, Farmin, Featherstone, Friend, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Jones, Leaf, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 50. Ayes, 50. Nays, none. Absent, not voting, 9.

And so the bill passed, title was approved, and House Bill No. 172 was ordered transmitted to the Senate.

HOUSE BILL NO. 119, BY HOLMBERG, read third time at length, section by section, for final action.

Hanmer moved that further action on this bill be deferred until action is taken on the report of the Committee on State Institutions.

Seconded by Sanborn.

Hutton moved, as a substitute motion, that House Bill No. 119 be referred to the Committee on Appropriations.

Seconded by Walker.

The question was upon the substitute motion by Hutton.

Motion carried.

HOUSE BILL NO. 173, BY CROW, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" the roll was called with the following result:

Ayes—Allred, Arthur, Berry, Black, Bower, Bradford, Bradley, Ceaser, Crow, Davis, Eimers, Farmin, Featherstone, Friend, Hanmer, Hellekson, Hendricks, Hill, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Leaf, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 48. Ayes, 48. Nays, none. Absent, not voting, 11.

And so the bill passed, title was approved, and House Bill No. 173 was ordered transmitted to the Senate.

HOUSE BILL NO. 179, BY STATE AFFAIRS COMMITTEE, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Baldridge, Berry, Bower, Black, Bradford, Bradley, Ceaser, Crow, Davis, Dunning, Farmin, Featherstone, Friend, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Johnson, Johnston, Jones, McCabe, Nelson, Nihart, Oakes, Parker, Pincock, Smith, Sorenson, Stephens, Strode, Terrell, Thompson, Wilson, Wood, Mr. Speaker.

Nays—Sanborn, Walker.

Total number of votes, 41. Ayes, 39. Nays, 2. Absent, not voting, 18.

And so the bill passed, title was approved, and House Bill No. 179 was ordered transmitted to the Senate.

HOUSE BILL NO. 57, BY STRODE, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Baldridge, Berry, Black, Bower, Bradford, Bradley, Ceaser, Crow, Dunning, Farmin, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Johnson, Kerby, McCabe, Nelson, Nihart, Oakes, Parker, Pincock, Sanborn, Sorenson, Stephens, Strode, Terrell, Wilson, Wood.

Nays—Allred, Davis, Featherstone, Jones, Nielsen, Smith, Thompson, Walker, Warnick, Mr. Speaker.

Total number of votes, 42. Ayes, 32 Nays, 10. Absent, not voting, 17.

And so the bill passed, title was approved, and House Bill No. 57 was ordered transmitted to the Senate.

HOUSE BILL NO. 236, BY TERRELL, MORGAN, GLENNON AND CROW, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" the roll was called with the following result:

Ayes—Arthur, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Farmin, Featherstone, Friend, Gallo-way, Hanmer, Hendricks, Hill, Hyde, Hutton, Jacobs, Johnson, Johnston, Jones, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sorenson, Stephens, Taylor, Terrell, Thompson, Warnick, Mr. Speaker.

Nays—Allred, Eckles, Gibson, Hellekson, Kerby, Sanborn, Smith, Strode, Walker, Holmberg.

Total number of votes, 48. Ayes, 38. Nays, 10. Absent, not voting, 11.

And so the bill passed, title was approved, and House Bill No. 236 was ordered transmitted to the Senate.

HOUSE BILL NO. 204, BY SMITH, read a third time at length, section by section, for final action.

Hellekson moved that this bill be referred to the Committee of the Whole for amendment

Seconded by Dunning.

Motion carried.

HOUSE BILL NO. 183, BY MORGAN, by unanimous consent, was laid over and its place retained on the Calendar until the author of the bill returns.

Second Reading of Printed Amendments to Senate Bills.

Amendments to the following Senate Bills were read second time in full.

S. B. No. 27.

S. B. No. 14.

S. B. No. 8.

Second Reading and Reference of Senate Bills.

The following Senate Bills were read second time in full:

S. B. No. 71.

S. B. No. 81.

S. B. No. 78.

S. B. No. 51.

S. B. No. 44.

S. B. No. 88.

S. B. No. 53.

S. B. No. 41.

Reference of Senate Bills.

The Speaker referred the following Senate Bills to their respective committees:

S. B. No. 71, Judiciary.

S. B. No. 81, State Affairs.

S. B. No. 78, Live Stock.

S. B. No. 51, Banks and Banking.

S. B. No. 44, State Affairs.

S. B. No. 41, State Affairs.

S. B. No. 53, Roads, Bridges and Ferries.

S. B. No. 88, Live Stock.

S. J. M. No. 4, Federal Relations and Memorials to Congress.

Third Reading of Senate Bills, Concurrent Resolutions and Joint Memorials, and Final Action Thereon.

SENATE BILL NO. 56. BY LEE, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Elmers, Farmin, Featherstone, Friend, Gibson, Hammer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Johnson, Johnston, Jones, Kerby, McCabe, Nelson, Nielsen, Nihart, Oakes, Pincock, Sanborn, Sorenson, Stephens, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Jenson.

Total number of votes, 49. Ayes, 48. Nays, 1. Absent, not voting, 10.

And so the bill passed, title was approved, and Senate Bill No. 56 was ordered transmitted to the Senate.

Report of Engrossing Committee.

Mr. Speaker:

We, your Committee on Engrossed and Enrolled Bills, beg leave to report House Bills Nos. 74, 220, 157 and 51 correctly engrossed.

Also beg leave to report House Bills Nos. 73, 124, 56, 117, 126, 4 and 169 correctly enrolled.

BOWER,
Acting Chairman.

Report received, and House Bills Nos. 74, 220, 157 and 51 filed for third reading.

By unanimous consent the House returned to the Seventh Order of Business.

Report of Standing Committee.

The Committee on Live Stock submitted the following report:

Mr. Speaker:

We, your Committee on Live Stock, beg leave to report that having had Senate Bill No. 3 under consideration, recommend that it do pass.

ARTHUR, Chairman.
WALKER,
ALLRED,
SORENSEN.

Report received, and Senate Bill No. 3 filed for third reading.

Introduction of Bills, Concurrent Resolutions and Joint Memorials.

The following bills were introduced:

H. B. NO. 312, BY McCABE (BY REQUEST)

An Act to provide for the registration of life and endowment policies and annuity bonds issued by domestic life insurance companies, and providing for the exemption of domestic companies from payment of the tax on premiums.

H. B. NO. 313, BY BLACK AND EDGINGTON.

An Act to amend Section 2238 of the Revised Codes of the State of Idaho, relating to powers of cities and villages; and repealing all Acts and parts of Acts in conflict herewith; and declaring an emergency to exist therefor.

H. B. NO. 314, BY JOHNSON AND EIMERS (BY REQUEST).

An Act to amend Section 1791 of the revised Codes of Idaho, relating to property erroneously assessed or paid, and the power of the

County Commissioners to cancel and refund the same, and providing the method in which the same may be repaid, and for reporting all such moneys refunded to the Auditor and Treasurer, and for the apportionment and charging of the same against the various funds, districts and municipalities to which the same was originally apportioned; repealing all Acts and parts of Acts in conflict herewith; and declaring an emergency.

First Reading of House Bills, Concurrent Resolutions and Joint Memorials.

The following bills were read first time in full:

H. B. No. 312, by McCabe (by request).

H. B. No. 313, by Black and Edgington.

H. B. No. 314, by Johnson and Eimers (by request).

Moved by Davis, and Seconded by Johnston, that House adjourn until 9 a. m. Saturday.

Motion carried.

House adjourned.

CHAS. D. STOREY,
Speaker.

JAMES H. WALLIS,
Chief Clerk.

SATURDAY, FORTY-FIRST DAY, FEBRUARY 11, 1911.

Morning Session.

Hall of the House of Representatives,
Boise, Idaho, February 11, 1911.

House met pursuant to adjournment. Mr. Speaker in the Chair.

Prayer was offered by Representative Hendricks

Roll call showed all members present, except Morgan and Glennon, who were excused.

Journal for the fortieth day was read.

Committee on Journal submitted the following report:

Mr. Speaker:

We, your Committee on Journal, beg leave to report that we have had under consideration the Journal for the fortieth day, and have corrected the same, and move that the Journal for the fortieth day be approved.

WARNICK,
Chairman.

Report adopted, and Journal for the fortieth day approved.

Reports of Standing Committees.

The Committee on Judiciary submitted the following report:

Mr. Speaker:

The Judiciary Committee, having had under consideration House Bill No. 28, by Glennon, and House Bill No. 54, by Sorenson, return same to House with the recommendation that they do not pass, for the reason that substitute for both bills has been prepared and introduced as House Bill No. 231.

Also House Bill No. 231, by Glennon and Sorenson, return the same to the House with the recommendation that it do pass.

Also House Bill No. 205, by Farmin, Jones and Sanborn, return the same to the House without recommendation.

Also Senate Bill No. 12, by St. Clair, return the same with the recommendation that it do pass.

Also House Bill No. 229, by Terrell, return same to the House with the recommendation that it do pass.

Also House Bill No. 230, by Allred, return same to the House with

the recommendation that the same be placed upon the General Calendar.

FEATHERSTONE,
Chairman.

Report adopted, and House Bills Nos. 231 and 229 referred to Engrossing Committee and ordered engrossed; Senate Bill No. 12 filed for third reading.

The Committee on Engrossed and Enrolled Bills submitted the following report:

Mr. Speaker:

We, your Committee on Engrossed and Enrolled Bills, report House Bills Nos. 75, 203, 276 and 196 correctly engrossed.

BOWER,
Acting Chairman.

Report received and House Bills Nos. 75, 203, 276 and 196 filed for third reading.

The Committee on Charitable and Penal Institutions submitted the following report:

Mr. Speaker:

We, your Committee on Charitable Institutions, having had under consideration House Bill No. 285, by Davis, recommends that the bill do pass.

WILSON,
Chairman.

Report adopted and House Bill No. 285 referred to the Engrossing Committee and ordered engrossed.

The Committee on Privileges and Elections submitted the following reports:

Majority Report.

Mr. Speaker:

We, your Committee on Privileges and Elections, having had under consideration House Joint Resolution No. 8, recommend that it do pass.

BRADLEY, Chairman.
JOHNSTON,
HENDRICKS,
HELLEKSON,
THOMPSON,
NIHART,
JONES.

Minority Report.

Mr. Speaker:

Your Committee on Privileges and Elections, having had under consideration House Joint Resolution No. 8, I beg to submit the following minority report:

The resolution proposes an amendment to the Constitution prohibiting the manufacture and sale of intoxicating liquors within the State of Idaho. I am a firm believer in submitting questions of this nature to the people direct for their approval or rejection by a majority vote, provided, however, that in case the law should prove unsatisfactory, either in whole or in part after a thorough and careful trial, that a majority vote of the people could amend or repeal the same. In order to submit a constitutional amendment to the people for a vote it is necessary to obtain a two-thirds majority in both Houses of the Legislature, and in case for any reason the experiment proved unsatisfactory it would again require a two-thirds majority in both Houses to submit it to the people for repeal or amendment.

Therefore, a law might be fastened upon the people of the State by one generation that would be distasteful and objectional to a large majority of the next generation, or even to the same generation after

a few years' trial, still it would be exceedingly difficult for the people to change their condition in that regard.

I do not believe that it was intended by the framers of our Constitution that changes should be made therein where legislative enactment could accomplish the same result. I believe the proposed change is contrary to the fundamental principles of Constitutional Government.

The merit of the results which the gentleman who proposed the amendment aims to accomplish do not enter into the case, therefore I shall not discuss this, but beg to recommend that the resolution do not pass.

Respectfully submitted,

HUTTON.

Bradley moved that the majority report on House Joint Resolution No. 8 be adopted.

Seconded by Thompson.

Hutton moved as a substitute motion that the minority report on House Joint Resolution No. 8 be adopted.

Seconded by Kerby.

Roll call was demanded on the substitute motion by Hutton with the following result:

Ayes—Bradford, Ceaser, Dunning, Eckles, Featherstone, Friend, Hanmer, Hill, Holmberg, Hutton, Jayne, Jenson, Johnson, Kerby, Leaf, McCabe, Nelson, Parker, Sorenson, Stephens, Strode, Walker, Wilson, Wood.

Neys—Allred, Baldrige, Bell, Berry, Black, Bower, Bradley, Burrell, Crow, Davis, Edgington, Eimers, Farmin, Hellekson, Hendricks, Hyde, Jacobs, Johnston, Jones, Nielsen, Nihart, Oakes, Pincock, Sanborn, Taylor, Terrell, Thompson, Warnick, Mr. Speaker.

Total number of votes, 53. Ayes, 24. Nays, 29. Absent, not voting, 4. Paired, Smith and Glennon.

And so the motion to adopt the minority report was lost.

The question then was on the adoption of the majority report.

Motion carried.

Report adopted.

The Committee on Privileges and Elections submitted the following report:

Majority Report.

Mr. Speaker:

We, your Committee on Privileges and Elections, respectfully report that we have had under consideration House Bill No. 249 and recommend that it do pass.

BRADLEY,
Chairman.
HENDRICKS,
THOMPSON,
NIHART,
JONES,
HELLEKSON,
JOHNSTON,

Minority Report.

Mr. Speaker:

We, your Committee on Privileges and Elections having had under consideration House Bill No. 249, beg leave to recommend that said bill be amended by striking out Sections 2 and 3.

Hutton.

Bradley moved the adoption of the majority report on House Bill No. 249.

Seconded by Jones.

Motion carried.

Majority report adopted.

The Committee on Privileges and Elections submitted the following report:

Mr. Speaker:

We, your Committee on Privileges and Elections, respectfully report that we have had under consideration House Bill No. 280 and recommend that it be referred to the Committee on Private Corporations.

Also Senate Bill No. 57, and recommend that it do pass.

Also House Bill No. 263 and recommend that it be referred to Committee on Private Corporations.

Also House Joint Resolution No. 15, and recommend that it do pass as amended.

The amendment changes the per centum to 75 per cent instead of 60 per cent.

BRADLEY,

Chairman.

Report accepted and House Bills Nos. 280 and 263 referred to Committee on Private Corporations; Senate Bill No. 57 filed for third reading.

The Committee on State Affairs submitted the following report:

Mr. Speaker:

We, your Committee on State Affairs, having had under consideration Senate Bill No. 5, by Potts, beg leave to report that we recommend that the bill do pass.

Also Senate Bill No. 46, by Potts, and recommend that the bill do pass.

Also Senate Bill No. 50, by Freehafer, and recommend that the bill do pass.

Also House Bill No. 246, by Davis, and recommend that the bill do pass.

Also House Bill No. 198, by Baldrige, and recommend that the bill do pass.

Also House Bill No. 277, by Johnston, and recommend that the bill be placed on the General Calendar.

Also House Bill No. 242, by Johnston and Davis, and recommend that the bill do pass.

Also House Bill No. 241, by Hutton, and recommend that the bill do pass.

JOHNSTON,

Chairman.

Report accepted and House Bills Nos. 246, 198, 242 and 241 referred to Engrossing Committee and ordered engrossed; Senate Bill Nos. 5, 46 and 50 filed for third reading.

The Committee on Private Corporations submitted the following report:

Mr. Speaker:

We, your Committee on Private Corporations, having had under consideration House Bill No. 222, by Strode and Black, which was referred to us for correction and amendment, hereby make the following amendments and recommendations:

In line 18, Section 6, after the words "town of" insert the words "County of"

In line 26 of Section 8 strike out the words "subpoena aforesaid" and insert the words "notice as in this Act provided."

And that as amended the bill do pass.

BRADFORD,

Chairman.

Report accepted.

The Committee on Military and Indian Affairs submitted the following report:

Mr. Speaker:

We, your Committee on Military and Indian Affairs, having had under consideration House Bill No. 156, by Davis and Bell, recommend that it be amended as follows:

That the title be amended by inserting after the word "repealing" in line 3, on page 2, the following. "Senate Bill No. 75, approved March 13, 1909, entitled, an Act to provide for the enrollment, organization, management and control of the National Guard of Idaho, etc., and all other."

In Section 11, line 10, insert the words and figures "fifteen hundred (1,500)" in place of the words and figures "twelve hundred (1,200)."

That Section 12 be amended by changing the period at the end of said Section to a semi-colon and adding thereafter the following: "Provided, That the provisions of this section, shall apply to the officer now on duty as Adjutant General."

That Section 15 be amended by changing the period at the end of the section to a semi-colon and adding the following: "Provided, that when staff officers, except officers of the medical corps, are relieved from duty as such they shall be placed on a reserve list and also on the eligible list, provided in Section 22 of this Act, for election to any company office; and provides further that whenever a vacancy occurs in any company office any staff officer on the reserve list shall be eligible to election to such vacancy in case he resides within such distance of the armory or headquarters of such company that he will be able to perform the duties of the office to which he may be elected. Such staff officers shall hold rank from the date of their first commission."

That Section 17 be amended by adding at the end of said section the following: "He shall also have authority under the direction of the Commander-in-Chief to employ such labor and clerical assistance as may from time to time become necessary."

That Section 22 be changed to read as follows.

"Section 22. All members of any of the units of the National Guard of the State who shall have served at least one year in the army of the United States or in the National Guard of this State or some other State, or who shall have attended some school or college where military instruction is had, shall be eligible to enter on examination to determine their fitness for commissioned rank: Provided, that such examination shall be held under such rules as shall be prescribed by the Commander-in-Chief and shall consist of a thorough examination of the mental, moral and physical qualifications of the candidate. All persons who shall satisfactorily pass such an examination shall have their names placed upon a roster to be kept by the Adjutant General. Whenever any office is to be filled by election under the provisions of this Act, the Adjutant General shall furnish the officer conducting such election with a list of all the members of the command and the reserve list who are eligible to election, and from such list the qualified electors shall choose by ballot some person to fill the vacancy existing, and it shall require a majority of the qualified electors to make such election; should there be no choice nor no quorum present, the presiding officer shall adjourn the meeting to a time not to exceed fifteen (15) days and at such adjourned meeting conduct another election. If such meeting results in no choice, the Commander-in-Chief shall be notified and may thereupon fill the vacancy by appointment from the list of eligible persons; such officer so appointed shall have all the rights and privileges conferred by this Act upon an officer otherwise elected or appointed."

That Section 28 be amended by adding in the first line after the word "person" "who has not served as a commissioned officer in the National Guard of this or any other State."

That Section 35, in line 2, change the words and figures "ten (10)" to "five (5)," and in the third line change the words and figures "fifteen (15)" to "ten (10)," and at the end of said Section 35 there be added the following: "Enlisted men, after six years' service, or if disabled for active duty while in service, may, upon their own application, and after due examination in the case of disability, be transferred to a retired list of enlisted men to be kept in the office of the Adjutant General and shall retain their rank at the time of transfer and be entitled to wear the uniform on all occasions of ceremony."

In Section 37 strike out the words "during the unexpired portion of his commission," in lines 3 and 4, and substitute therefor the following: "for one year."

In Section 39 change the word "thirty" and the figure "(30)" to "fifty (50)" in lines 3 and 4.

Strike out all of Section 56 and make the same to read as follows:

"Each company shall receive quarterly the further sum of one hundred twenty-five dollars (\$125) for necessary military expenses, including rent of armory. In addition thereto the County Commissioners of each County may, in their discretion, expend annually not to exceed one hundred fifty dollars (\$150) out of the county current expense fund for repairs or rent of armory building or other necessary expenditures for military purposes."

In Section 59 strike out all of said section down to and including the words "per day" in line 19, and substitute the following in lieu thereof:

"Section 59. While on camp or field duty and in going to and returning therefrom, the members of the National Guard of Idaho shall receive the following compensation per diem during the first twenty (20) days of service: Enlisted men shall receive the pay prescribed for their grade in the United States army and in addition thereto each shall receive the sum of one dollar (\$1) per day, and in addition thereto each enlisted man shall be entitled to one ration per day while on duty. Commissioned officers shall receive the pay prescribed for their grade in the United States army. When ordered into actual service in aid of the civil authorities, the forces so called into service for the first twenty (20) days the same pay and rations as provided herein for camp and field duty, and thereafter they shall receive the same pay and rations as troops in the service of the United States. All members of the staff of the Commander-in-Chief shall be entitled to and receive their actual traveling and hotel expenses when acting under the orders of the Commander-in-Chief, whether within or without the State, and such expenses shall be paid out of the appropriation provided for in this Act. All allowance and pay provided by this Act for officers or enlisted men, except for per diem and mileage while traveling under orders without troops, shall be subject to be applied to the payment of penalties and fines imposed by military courts and to the payment of any shortage of or injury to State or United States property or funds for which such officers or enlisted men are accountable. All enlisted men shall receive as payment for attendance upon drills the sum of fifty (50) cents for each drill attended, under such rules and regulations as the Commander-in-Chief may determine and publish in orders, such payments to be made semi-annually after the semi-annual returns have been filed in the office of the Adjutant General."

That Section 67 be amended by striking out the last sentence of said section and substituting the following: "The pensions hereinbefore provided for shall be paid out of the appropriations carried in this Act."

That Section 74 be amended by striking out all of said section and substituting the following:

"Section 74. Summary courts martial of enlisted men belonging to any regiment shall be ordered by the regimental commander, and for the trial of enlisted men of a separate battalion, by the battalion commander, and in each case shall consist of a field officer or captain in such regiment or battalion: Provided, that when a company is not in active service summary courts martial of enlisted men belonging to the company shall be ordered by the company commander and in each case shall consist of a commissioned officer in such company. Reports of all trials by summary court shall be made to the Adjutant General at such times and in such form as he may direct."

That Section 86 be amended by inserting after the word "State," in line 3, the following: "to be placed to the credit of the military fund."

That Section 102 be stricken out and made to read as follows:

"Section 102. Senate Bill No. 75, approved March 13, 1909, entitled, 'An Act to provide for the enrollment, organization, management and control of the National Guard of Idaho, and the Idaho Reserve Militia, prescribing the number and rank of officers and defining their duties; providing compensation for the men and officers while on duty, fixing rates of pay to be allowed; prescribing duties and powers of heads of departments; providing for a State Military Board; conferring and defining the board's powers; providing a continuing appropriation; repealing all Acts and parts of Acts in conflict with the provisions of this Act, and declaring an emergency' is hereby expressly repealed, and all other Acts and parts of Acts in conflict with this Act are hereby annulled and repealed."

And that the bill as amended do pass.

DAVIS,
Chairman.

Report adopted and House Bill No. 156 referred to the Committee on Appropriations.

The Committee on Roads, Bridges and Ferries submitted the following report:

Mr. Speaker:

We, your Committee on Roads, Bridges and Ferries, having had under consideration Senate Bills Nos. 52 and 80; House Bills Nos. 264, 279, 275, 174 and 201, also Senate Joint Memorial No. 3, beg leave to report as follows:

We recommend that Senate Bills Nos. 52 and 80 and House Bills Nos. 264 and 279 do pass.

Also that House Bill No. 275 be amended as follows:

Wherever the words and figures "six thousand dollars (\$6,000)" appears insert in lieu thereof the words and figures "four thousand dollars."

Also that Senate Joint Memorial No. 3 do pass.

Also recommend that House Bill Nos. 174 and 201 be referred to the Committee on Penal Institutions and recommend that they secure penal labor.

NIHART,
Acting Chairman.

Report accepted and House Bill Nos. 264 and 279 referred to Engrossing Committee and ordered engrossed; Senate Bills Nos. 52 and 80 and Senate Joint Memorial No. 3 filed for third reading; House Bill No. 275 referred to Committee on Appropriations.

The Committee on Public Health submitted the following report:
Mr. Speaker:

Your Committee on Public Health, having had under consideration

House Bill No. 291, hereby renders its report, and recommends that the bill do not pass.

Your Committee on Public Health recommends that House Bill No. 171 do pass, and that House Bill No. 213 do pass with the following amendments: In Section 5, line 7, strike out the word "provide," and all of the following subject matter to division 2. In Section 5, Division 7, strike out the word "enethyl" and insert "methyl." In Section 6, line 14, strike out the comma between "cannabis" and "indica," making one word. In Section 6, line 28, strike out "contains a," and in line 29 "proprietary or patent medicine or a proprietary patent food if it."

Also that House Bill No. 188 do pass.

CROW,

Chairman.

Report received and House Bills Nos. 171 and 188 referred to Engrossing Committee and ordered engrossed.

The Committee on Printing submitted the following report:

Mr. Speaker:

Your Committee on Printing herewith report that we have had correctly printed and distributed the following:

House Bills Nos. 269, 273, 274, 271, 277, 279, 280, 281.

Amendments to House Bills Nos. 107, 112 and 185.

The following have been read by copy, corrected and sent to the printer:

House Bills Nos 298, 300, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314.

JONES,

Chairman.

Report accepted.

The Committee on Fish and Game submitted the following report:

Mr. Speaker:

We, your Committee on Fish and Game, having had under consideration House Bill No. 121, by Farmin, recommend that the same do pass.

FARMIN,

Chairman.

Report accepted and House Bill No. 121 referred to Engrossing Committee and ordered engrossed.

Introduction of Bills, Concurrent Resolutions and Joint Memorials,

The following bills were introduced:

H. B. NO. 315, BY WARNICK, NIELSEN AND ALLRED.

An Act defining the standard measure for Babcock milk and cream tests, regulating its use and prescribing a penalty for falsely manipulating or under-reading or over-reading the Babcock test, or any similar contrivance for determining the quality of milk or cream.

H. B. NO. 316, BY HILL, GALLOWAY AND PINCOCK.

An Act to amend Section 829 of the Revised Codes of Idaho.

H. B. NO. 317, BY BLACK.

An Act amending Section 2353 of the Political Codes of Idaho relating to assessment and bond issue for sewerage improvements; and declaring an emergency.

H. B. NO. 318, BY WALKER.

An Act changing the boundaries of the Counties of Owyhee and Elmore striking from the County of Owyhee certain territory and adding the same to the County of Elmore; providing for the payment by the County of Elmore to the County of Owyhee of a ratable pro-

portion of the net indebtedness of Owyhee; and amending Sections 23k and 23t of the Revised Codes of Idaho.

H. B. NO. 319, BY MORGAN, WOOD AND JENSON.

An Act regulating the sale of intoxicating liquors; defining the kind and character of place where the same may be sold and kept for sale; prohibiting certain persons from loitering around such place, and prohibiting any other business from being conducted in such place; and providing a penalty for the violation thereof; and providing penalties for failure of the prosecuting attorney to prosecute, or peace officer to inform against offenders under this Act.

H. B. NO. 320, BY STRODE, NIELSEN, JOHNSTON, NIHART, BRADLEY AND BERRY.

An Act regulating the sale of intoxicating liquors, with penalties for the violation thereof, and providing penalties for failure of the prosecuting attorney to prosecute, or peace officers to inform against offenders under this Act.

H. B. NO. 321, BY HUTTON.

An Act creating the Industrial Insurance Department; making an appropriation for its administration; providing for the creation and disbursement of funds for the compensation and care of workmen injured in hazardous employment; providing penalties for the non-observance of regulations for the prevention of such injuries and for violations of its provisions; asserting and exercising the police power in such cases; and, except in certain specified cases, abolishing the doctrine of negligence as a ground for recovery of damages against employers.

H. B. NO. 322, BY JOHNSON, SORENSON, HOLMBERG, WOOD AND JACOBS.

An Act relating to Lewiston State Normal School; creating a fund to be known as Lewiston State Normal School Fund, and providing for the annual levy of a tax to produce revenue therein for the maintenance, equipment, improvement, repair, construction of buildings, purchase of property and other expenses pertaining to said Lewiston State Normal School, and appropriating the moneys of said fund to said institution

H. B. NO. 323, BY CROW.

An Act to amend Section 5210 of the Code of Civil Procedure of the Revised Codes of Idaho relating to eminent domain.

H. B. NO. 324, BY CEASER, STOREY, BELL, NIHART, JACOBS, NELSON, CROW AND SMITH.

An Act to amend Sections 3012, 3013, and to repeal Section 3015 of the Civil Code of the State of Idaho relating to religious, social and benevolent corporations.

H. B. NO. 325, BY CEASER, STOREY, BELL, NIHART, JACOBS, NELSON, CROW AND SMITH.

An Act to provide that certain grand and subordinate lodges may continue the term of their existence by filing an acceptance of Chapter 14, of Title 4, of the Civil Code, and shall thereupon be deemed incorporated under the provisions of said chapter, under the terms and provisions thereof.

H. B. NO. 326, BY JOHNSTON.

An Act to amend Section 146, of the Revised Codes of the State of Idaho, relating to the examination of claims against the State of Idaho by the State Board of Examiners.

H. B. NO. 327, BY ARTUR AND FRIEND.

An Act providing for the issuance and sale of State bonds in the sum of ten thousand dollars (\$10,000), and appropriating the proceeds thereof for the construction of a wagon road between Soldier, in Blaine County, Idaho, and Atlanta, in Elmore County, Idaho; authorizing the levy of an ad valorem tax to provide a sinking fund for the payment of such bonds at maturity and the accruing interest thereon; providing for a commission which shall have general control of the construction of said wagon road and of the disbursement of this appropriation, and prescribing their powers and duties as such; and providing when and how this appropriation shall be expended and disbursed.

H. B. NO. 328, BY HUTTON.

An Act to amend Section 1579 of the Revised Codes of Idaho relating to sale of State lands.

H. B. NO. 329, BY JOHNSTON.

An Act to authorize the organization and incorporation of societies for the prevention of cruelty to children and animals, and to regulate their conduct; and declaring an emergency.

H. B. NO. 330, BY THE JUDICIARY COMMITTEE.

An Act providing that each District Judge within this State shall appoint a stenographic reporter; and amending Section 3980 of the Revised Codes of Idaho.

H. B. NO. 331, BY CROW (BY REQUEST).

An Act to establish a State Board of Veterinary Medical Examiners, and to provide for the appointment of members thereof; regulating the practice within the State of veterinary medicine, veterinary surgery and veterinary dentistry or any branch thereof; and providing penalties for the violation of the provisions of this Act.

H. B. NO. 332, BY GALLOWAY.

An Act giving the Probate Judge certain powers relative to the sale of portions of a townsite not previously conveyed.

H. B. NO. 333, BY GALLOWAY.

An Act to amend Section 5 of an Act entitled, "An Act providing for the protection of orphan, homeless, abused or neglected children, and conferring power upon Judges of Probate, County Commissioners and charitable societies duly organized and existing under Section 3011 of the Revised Codes of the State of Idaho to receive the same."

H. B. NO. 334, BY BALDRIDGE.

An Act to amend Subdivision 11 of Section 2238, Revised Codes of

Messages From the Governor.

The following messages were received from the Governor:

Boise, Idaho, February 10th, 1911.

Mr. Speaker and Gentlemen of the House of Representatives:

I have this day approved House Bill No. 184, by Warnick, an Act to amend Section 1227 of Chapter 8, Title 8, of the Revised Codes of the State of Idaho, relating to Recorder of Brands.

Respectfully,

JAMES H. HAWLEY,
Governor.

Boise, Idaho, February 10th, 1911.

Mr. Speaker and Gentlemen of the House of Representatives:

I have this day approved House Bill No. 120, by Nihart, an Act to

amend Section 2126 of the Revised Codes of the State of Idaho

Respectfully,

JAMES H. HAWLEY,

Governor.

House and Senate Bills Signed by Speaker.

The Speaker, in the presence of the House, signed Senate Bills Nos. 65, 56, 11 and 25, and House Bills Nos 169, 4, 126, 117, 124, 56 and 73.

First Reading of House Bills, Concurrent Resolutions and Joint Memorials.

The following House Bills were read first time in full:

H. B. No. 315, by Warnick, Nielsen and Allred

H. B. No. 316, by Hill, Galloway and Pincock

H. B. No. 317, by Black.

H. B. No. 318, by Walker.

H. B. No. 319, by Morgan, Wood and Jenson

H. B. No. 320, by Strode, Nielsen and Johnson.

H. B. No. 321, by Hutton.

H. B. No. 322, by Johnson, Sorenson, Holmberg, Wood and Jacobs.

H. B. No. 323, by Crow.

H. B. No. 324, by Ceaser, Storey, Bell, Nihart, Jacobs, Nelson, Strode, Crow and Smith.

H. B. No. 325, by Ceaser, Storey, Bell, Nihart, Jacobs, Nelson, Strode, Crow and Smith

H. B. No. 326, by Johnston

H. B. No. 327, by Arthur and Friend.

H. B. No. 328, by Hutton.

H. B. No. 329, by Johnston.

H. B. No. 330, by Judiciary Committee.

H. B. No. 331, by Crow (by request).

H. B. No. 332, by Galloway.

H. B. No. 333, by Galloway.

H. B. No. 334, by Baldridge.

First Reading of Printed Amendments to House Bills.

Printed amendments to the following House Bills were read first time in full.

H. B. No. 112.

H. B. No. 185.

Second Reading and Reference of House Bills, Concurrent Resolutions and Joint Memorials.

The following bills were read second time in full:

H. B. No. 305, by Wilson

H. B. No. 306, by Nihart.

H. B. No. 307, by Glennon.

H. B. No. 308, by Glennon.

H. B. No. 309, by Glennon (by request).

H. B. No. 310, by Crow.

H. B. No. 311, by Strode, Edgington, Morgan, Black, Crow, Davis and Bradford.

H. B. No. 312, by McCabe (by request).

H. B. No. 313, by Black and Edgington.

H. B. No. 314, by Johnson and Eimers (by request)

Reference of House Bills.

Speaker referred the following House Bills to their respective committees:

H. B. No. 305, Judiciary.

H. B. No. 306, Judiciary

H. B. No. 307, Judiciary.
H. B. No. 308, Judiciary.
H. B. No. 309, Judiciary.
H. B. No. 310, Judiciary.
H. B. No. 311, Judiciary.
H. B. No. 312, Private Corporations.
H. B. No. 313, Cities, Towns and Villages.
H. B. No. 314, Revenue and Taxation.

Second Reading of Printed Amendments to House Bills.

Printed amendments to the following House Bills were read second time in full:

H. B. No. 82.
H. B. No. 143.
H. B. No. 192.
H. B. No. 197.

Unanimous consent was given to advance to the Twentieth Order of Business.

Third Reading of Senate Bills, Concurrent Resolutions and Joint Memorials and Final Action Thereon.

SENATE BILL NO. 42, BY LEE, HORNIBROOK, GOODING, COATES AND HAIGHT, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Leaf, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 53. Ayes, 53. Nays, none. Absent, not voting, 5. Excused, Sanborn.

And so the bill passed, title was approved, and Senate Bill No. 42 was ordered transmitted to the Senate.

SENATE BILL NO. 3, BY MACBETH, read a third time at length, section by section, for final action.

Moved by Berry and seconded by Dunning that Senate Bill No. 3 be referred to the Committee of the Whole.

Motion lost.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Burrell, Eckles, Featherstone, Galloway, Gibson, Hellekson, Hill, Sorenson, Terrell, Walker.

Nays—Baldrige, Bell, Berry, Black, Bower, Bradley, Ceaser, Crow, Davis, Dunning, Eimers, Farmin, Friend, Hendricks, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Stephens, Taylor, Thompson, Warnick, Wilson, Wood, Mr. Speaker.

Total number of votes, 51. Ayes, 11. Nays, 40. Absent, not voting, 8.

And so Senate Bill No. 3 failed to pass, transmitted back to Senate.

SENATE JOINT MEMORIAL NO 3, BY MACBETH, read a third time at length, section by section, for final action.

The question being "Shall the Memorial pass?" roll was called with the following result:

Ayes—Allred, Baldridge, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Johnson, Johnston, Jones, Kerby, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 53 Ayes, 53. Nays, none. Absent, not voting, 6.

And so the Memorial passed, title was approved, and Senate Joint Memorial No. 3 was ordered transmitted to the Senate.

SENATE BILL NO. 50, BY FREHAFFER, read a third time at length, section by section, for final action.

Moved by Dunning and seconded by Jayne that Senate Bill No. 50 be referred to the Committee of the Whole

Motion carried.

SENATE BILL NO. 12, BY ST. CLAIR, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jensen, Johnson, Johnston, Jones, Kerby, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 51. Ayes, 51. Nays, none. Absent, not voting, 8.

And so the bill passed, title was approved, and Senate Bill No. 12 was ordered transmitted to the Senate

SENATE BILL NO. 80 (SUBSTITUTE FOR SENATE BILL NO. 45), BY GOODING, read a third time at length, section by section, for final action.

Moved by Davis and seconded by Jayne that Senate Bill No. 80 be referred to the Committee on Appropriations.

Motion carried

SENATE BILL NO. 52, BY POOLE, read a third time at length, section by section, for final action.

Moved by Hill and seconded by Walker that Senator Poole be invited to address the House on the bill.

Motion lost

Moved by Terrell, and seconded, that Senate Bill No. 52 go to the General Calendar.

Motion carried.

SENATE BILL NO. 57, BY POTTS, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Baldridge, Bell, Berry, Black, Bower, Bradford, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jensen, Johnson, Jones, McCabe, Nelson, Nielsen, Nihart, Parker, Pincock, Sanborn, Sorenson, Stephens, Taylor, Terrell, Thompson, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Bradley, Kerby, Oakes, Smith, Walker.

Total number of votes, 54. Ayes, 49. Nays, 5. Absent, not voting, 5.

And so the bill passed, title was approved, and Senate Bill No. 57 ordered transmitted to the Senate.

Announcement by the Speaker.

Speaker Storey announced that he wished to publicly thank the Boise High School for a gavel presented to him by them.

SENATE BILL NO. 46, BY POTTS, read a third time at length, section by section for final action.

Moved by Sanborn and seconded by Walker that Senate Bill No. 46 go to the Committee of the Whole.

Motion lost.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Elmers, Farmin, Featherstone, Friend, Galloway, Gibson, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 53. Ayes, 53. Nays, none. Absent, not voting, 6.

And so the bill passed, title was approved, and Senate Bill No. 46 was ordered transmitted to the Senate.

SENATE BILL NO. 5, BY POTTS, read a third time at length, section by section, for final action.

Moved by Hellekson and seconded by Gibson that Senate Bill No. 5 be referred to the Committee of the Whole.

Withdrawn.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Baldrige, Bell, Berry, Black, Bradford, Burrell, Ceaser, Crow, Davis, Dunning, Edgington, Elmers, Farmin, Featherstone, Galloway, Hanmer, Hendricks, Hill, Holmberg, Hutton, Hyde, Johnson, Johnston, Jones, Kerby, Leaf, McCabe, Nielsen, Parker, Pincock, Smith, Stephens, Strode, Taylor, Terrell, Warnick, Wilson, Mr. Speaker.

Nays—Bower, Eckles, Friend, Gibson, Hellekson, Jacobs, Jayne, Jenson, Nelson, Nihart, Oakes, Sanborn, Thompson, Walker, Wood.

Total number of votes, 54. Ayes, 39. Nays, 15. Absent, not voting, 5.

And so the bill passed, title was approved, and Senate Bill No. 5 was ordered transmitted to the Senate.

SENATE BILL NO. 27, BY WILLIAMS, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Baldrige, Berry, Bower, Black, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Elmers, Farmin, Featherstone, Friend, Gibson, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Leaf, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Sanborn, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Walker.

Total number of votes, 53. Ayes, 52. Nays, 1. Absent, not voting, 6.

And so the bill passed, title was approved, and Senate Bill No. 27 was ordered transmitted to the Senate.

SENATE BILL NO. 8, BY LEE AND HARRIS, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Baldridge, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Gibson, Hanmer, Hellekson, Hendricks, Hill, Hyde, Hutton, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Leaf, McCabe, Nelson, Neilsen, Nihart, Oakes, Parker, Pincock, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Sanborn.

Total number of votes, 53. Ayes 52. Nays 1. Absent, not voting, 6.

And so the bill passed, title was approved, and Senate Bill No. 8 was ordered transmitted to the Senate.

SENATE BILL NO. 14, BY MACBETH, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Baldridge, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Hanmer, Hellekson, Hendricks, Hill, Hutton, Hyde, Jacobs, Jayne, Johnson, Johnston, Jones, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 49. Ayes, 49. Nays, none. Absent, not voting, 10.

And so the bill passed, title was approved, and Senate Bill No. 14 was ordered transmitted to the Senate.

By unanimous consent House returned to the Seventeenth Order of Business.

Third Reading of House Bills, Concurrent Resolutions and Joint Memorials and Final Action Thereon.

HOUSE BILL NO. 39, BY BERRY, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Baldridge, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Edgington, Eimers, Featherstone, Friend, Galloway, Gibson, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jenson, Johnson, Jones, Leaf, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Smith, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 48. Ayes, 48. Nays, none. Absent, not voting, 11.

And so the bill passed, title was approved, and House Bill No. 39 was ordered transmitted to the Senate.

HOUSE BILL NO. 142, BY SMITH, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Baldridge, Bell, Berry, Bower, Black, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington,

Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jensen, Johnson, Johnston, Jones, Leaf, McCabe, Nelson, Nielsen, Oakes, Pincock, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Parker.

Total number of votes, 53. Ayes, 52. Nays, 1. Absent, not voting, 6.

And so the bill passed, title was approved, and House Bill No. 142 was ordered transmitted to the Senate.

Report of Enrolling Committee.

Mr. Speaker:

We, your Committee on Engrossed and Enrolled Bills, beg leave to report House Bills Nos. 35, 139, 55 and 136 correctly enrolled.

BOWER,
Acting Chairman.

House Bills Signed.

Speaker, in the presence of the House, signed House Bills Nos. 35, 55, 136 and 139.

Announcement By Speaker.

Speaker Storey announced the appointment of Jacobs on the Committee on Roads, Bridges and Ferries to succeed Glennon, resigned.

Moved by Jones and seconded by Sanborn that House adjourn until 9 a. m. Monday, February 13, 1911.

Motion carried.

House adjourned.

CHARLES D. STOREY,
Speaker.

JAMES H. WALLIS
Chief Clerk.

MONDAY, FORTY-THIRD DAY, FEBRUARY 13, 1911.

Morning Session.

Hall of House of Representatives,
Boise, Idaho, February 13, 1911.

House met pursuant to adjournment. Mr. Speaker in the chair.

Prayer was offered by the Chaplain.

Roll call showed all members present except Glennon, excused, and Hellekson, excused, on account of sickness.

Journal for the forty-first day was read.

The Committee on Journal submitted the following report:

Mr. Speaker:

We, your Committee on Journal, having had under consideration the Journal for the forty-first day, report that we have corrected the same, and move that the Journal for that day be approved.

WARNICK,
Chairman.

Report adopted and Journal for forty-first day approved.

Reports of Standing Committees.

The Committee on Printing submitted the following report:

Mr. Speaker:

Your Committee on Printing herewith report that we have had correctly printed and distributed the following:

House Bills Nos. 290, 291, 237 and 238. Amendments to House Bills Nos. 149, 150, 181 and 187.

The following have been read by copy, corrected and sent to the printer:

House Bills Nos. 315, 316, 317, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332 and 333.

JONES,
Chairman.

Report received.

The Committee on Warehouse, Grain, Grading and Dealing, submitted the following report:

Mr. Speaker:

We, your Committee on Warehouse, Grain, Grading and Dealing, respectfully report that we have had under consideration House Bill No. 287 and recommend that it be referred to the Committee on Appropriations

JOHNSON,
Chairman.

Report accepted and House Bill No. 287 referred to Committee on Appropriations.

The Committee on Engrossed and Enrolled Bills submitted the following report:

Mr. Speaker:

We, your Committee on Engrossed and Enrolled Bills, report House Bills Nos. 155, 107, 108, 192, 121, 264, 279, 94, 241, 98, 242, 246, 231, 285, 143, House Joint Resolution No. 8 correctly engrossed.

BOWER,
Acting Chairman.

Report received and House Bills Nos. 155, 107, 108, 192, 121, 264, 279, 94, 241, 98, 242, 246, 231, 285, 243, and House Joint Resolution No. 8 filed for third reading.

The Committee on Appropriations submitted the following report:
Mr. Speaker:

We, your Committee on Appropriations, having had under consideration House Bills No. 275 and No. 41, hereby makes its report as follows: We recommend that the said bills be amended in the same manner as amended by the Committee on Roads and Bridges, and that as so amended the said bills do pass.

Also House Bill No. 34, by Wilson, and return the same without recommendation.

Also House Bill No. 119, by Holmberg, and recommend that the same do pass.

Also House Bill No. 77, by Black, and recommends that wherever the words and figures "seven hundred eighteen dollars and fourteen cents (\$718.14)" appears, insert in lieu thereof the words and figures, "six hundred fifteen dollars and fifty-five cents (\$615.55)," and that as so amended the bill do pass

BELL,
Chairman.

Report adopted and House Bill No. 119 referred to Engrossing Committee and ordered engrossed.

Introduction of Bills, Concurrent Resolutions and Joint Memorials.

The following bills were introduced.

H. B. NO. 335, BY JACOBS, EIMERS AND BELL.

An Act to provide for the commemoration of the fiftieth anniversary of the establishment of Idaho Territory and making an appropriation therefor; and creating a commission, and providing for the appointment thereof, with power to do any and all things necessary in the premises, including the allowance of claims for the expenses to be incurred under such appropriation.

H. B. NO. 336, BY BALDRIDGE.

An Act providing that any water master appointed as provided in Section 3284 of the Revised Codes shall construct a measuring device for the distribution of water to the users along any lateral ditch; and providing for the manner of the collection and payment thereof.

H. B. NO. 337, BY BALDRIDGE.

An Act amending Section 2386 of the Revised Codes of Idaho, adding thereto Sections 2386a, 2386b, 2386c, 2386d, 2386e, 2386f and 2386g, relating to the duties and powers of the Board of Directors of an irrigation district; to amend Sections 2385, 2399, 2407, 2409 and 2419 of the Revised Codes of Idaho relating to the apportionment of the cost of the works of an irrigation district, and providing for the assessments in an irrigation district; to amend Section 2411 of the Revised Codes of Idaho, relating to the liens of assessments and bonds of an irrigation district; and declaring an emergency.

H. B. NO. 338, BY BALDRIDGE.

An Act amending Sections 2375, 2376 and 2379 of the Revised Codes of Idaho, relating to registration of voters in irrigation districts.

H. B. NO. 339, BY WILSON.

An Act to authorize the State Board of Prison Commissioners to use the labor of convicts in and without the prison grounds and in the construction or repair of wagon roads and bridges; amending Sections 8461 and 8493 of the Revised Codes of Idaho.

H. B. NO. 340, BY JOHNSTON, DAVIS AND TERRELL.

An Act authorizing the District Court or a Judge thereof to remove certain officers for malfeasance, misfeasance or nonfeasance in office, and providing the method of procedure therefor.

H. B. NO. 341, BY COMMITTEE ON IRRIGATION, RESERVOIRS AND RECLAMATION.

An Act to amend Section 1622 of the Revised Codes of Idaho.

H. B. NO. 342, BY COMMITTEE ON IRRIGATION, RESERVOIRS AND RECLAMATION.

An Act extending the time for the doing of work under certain water permits, including those heretofore, as well as those hereafter issued, and extending the time under certain circumstances in which beneficial use may be made of water.

H. J. R. NO. 16, BY BLACK.

A joint resolution declaring that the Legislature deems it necessary to call a convention to revise the Constitution of the State of Idaho, and recommending to the electors to vote at the next general election for or against a convention for that purpose; and proposing to submit to the electors of the State of Idaho at the next general election, for their approval or rejection, the question: Shall a convention be called to revise the Constitution of the State of Idaho.

H. J. M. NO. 8, BY BLACK AND BELL.

A joint memorial memorializing the President of the United States, the Secretary of the Interior and the Secretary of Agriculture that Townships 46 and 47 North, Range 3 East, Boise Meridian, be eliminated from the Coeur d'Alene National Forest Reserve, and that they be made available for homestead entry at once.

Message From the Governor.

The following message was received from the Governor:

Boise, Idaho, February 13, 1911.

Mr. Speaker and Gentlemen of the House of Representatives:

Under an Act of the Congress of the United States, approved March 3, 1863, the Territory of Idaho was organized, and shortly after Hon. William Wallace was appointed to be the first Governor of the new territory, and established the seat of government at Lewiston, in Nez Perce County.

The fiftieth anniversary of the organization of Idaho Territory should be fittingly celebrated. It would be an event of moment to all the people of the State and should receive the official sanction and financial aid of the State Government. The citizens of Lewiston have, with commendable public spirit, taken the lead in the matter of such celebration and it is fitting that they should have done so, and that this historical event should be commemorated in the first capital of the Territory. While our people are busily engaged in every day occupations tending to the material development and upbuilding of our State, it is eminently proper that there should be a turning aside from such endeavors upon fitting occasions to properly commemorate the deeds of a former generation in laying the foundations of Idaho's growth and prosperity. The citizens of Lewiston ask that the small sum of \$5,000 be appropriated by the State to aid in this celebration of the fiftieth anniversary of the official birth of Idaho Territory, and, while I feel that words of mine are unnecessary to impress upon your honorable body the propriety of making such appropriation, still I desire to give more than passive acquiescence to the undertaking and to actively share with you in doing honor to the cherished memories of those who lived in Idaho in the earlier days, and while showing our appreciation of them, also bringing closer to the youth of today the patriotic sentiment enshrined in proper celebrations of great historic events. I most respectfully urge that this matter be given your earnest consideration.

Respectfully submitted,

JAMES H. HAWLEY,

Governor

Moved by Hill, and seconded by Walker, that the message from the Governor be referred to the Committee on Appropriations, together with House Bill No. 335, by Jacobs, Eimers and Bell, in commemoration of the fiftieth anniversary of the establishing of Idaho Territory.

Motion carried.

Message From the Senate.

The following message was received from the Senate:

Mr. Speaker:

I have the honor to transmit herewith House Bill No. 19, which has passed the Senate.

CHARLES J. LISLE,

Assistant Secretary of Senate.

Message received, and House Bill No. 19 ordered enrolled.

First Reading of House Bills, Concurrent Resolutions and Joint Memorials.

The following bills were read first time in full:

H. J. R. No. 16, by Black

H. B. No. 335, by Jacobs, Eimers and Bell.

H. B. No. 336, by Baldrige.

H. B. No. 337, by Baldrige.

H. B. No. 338, by Baldrige.

H. B. No. 339, by Wilson.

H. B. No. 340, by Johnston, Davis and Terrell.

H. B. No. 341, by Committee on Irrigation, Reservoirs and Reclamation.

H. B. No. 342, by Committee on Irrigation, Reservoirs and Reclamation.

H. J. M. No. 8, by Black and Bell.

First Reading of Printed Amendments to House Bills.

Printed amendments to the following House Bills were read first time in full.

H. B. No. 149.

H. B. No. 150.

H. B. No. 181.

H. B. No. 187.

Second Reading and Reference of House Bills, Concurrent Resolutions and Joint Memorials.

The following bills were read the second time in full:

H. B. No. 315, by Warnick, Nielsen and Allred.

H. B. No. 316, by Hill, Galloway and Pincock.

H. B. No. 317, by Black.

H. B. No. 318, by Walker.

H. B. No. 319, by Morgan, Wood and Jensen

H. B. No. 320, by Strode, Nielsen, Johnston, Nihart Bradley and Berry.

H. B. No. 321, by Hutton.

H. B. No. 322, by Johnson, Sorenson, Holmberg, Wood and Jacobs.

H. B. No. 323, by Crow.

H. B. No. 324, by Ceaser, Storey, Bell, Nihart, Jacobs, Nelson, Crow and Smith.

H. B. No. 325, by Ceaser, Storey, Bell, Nihart, Jacobs, Nelson, Crow and Smith.

H. B. No. 326, by Johnston.

H. B. No. 327, by Arthur and Friend.

H. B. No. 328, by Hutton.

H. B. No. 329, by Johnston.

H. B. No. 330, by the Judiciary Committee.

H. B. No. 331, by Crow (by request).

H. B. No. 332, by Galloway.

H. B. No. 333, by Galloway.

H. B. No. 334, by Baldrige.

Reference of House Bills.

Speaker referred the following House Bills to their respective committees:

H. B. No. 315, Public Health.

H. B. No. 316, Education.

H. B. No. 317, Cities, Towns and Villages.

H. B. No. 318, County Lines and Boundaries.

H. B. No. 319, Privileges and Elections.

H. B. No. 320, Privileges and Elections.

H. B. No. 321, State Affairs.

H. B. No. 322, Revenue and Taxation.

H. B. No. 323, Judiciary.

H. B. No. 324, Private Corporations.

H. B. No. 325, Private Corporations.

H. B. No. 326, Judiciary.

H. B. No. 327, Roads, Bridges and Ferries.

H. B. No. 328, Judiciary.

H. B. No. 329, State Affairs.

H. B. No. 330, Judiciary.

H. B. No. 331, Live Stock.

H. B. No. 332, Judiciary.

H. B. No. 333, Charitable and Penal Institutions.

H. B. No. 334, Cities, Towns and Other Municipal Corporations.

Second Reading of Printed Amendments to House Bills.

Printed amendments to the following House Bills were read a second time in full;

H. B. No. 112.

H. B. No. 185.

Unanimous consent was given to return to the Ninth Order of Business

Motions and Resolutions.

Moved by Crow and seconded by Bell that House Bill No. 155 be taken up at once for final consideration.

Terrell moved as a substitute motion that House Bill No. 155 be made a special order of business for Tuesday morning at 9 a. m.

Seconded by Walker.

Motion by Crow withdrawn and House Bill No. 155 made a special order for 9 a. m. Tuesday.

Third Reading of House Bills, Concurrent Resolutions and Joint Memorials and Final Action Thereon.

HOUSE BILL NO. 183, BY MORGAN, read a third time at length, section by section, for final action.

Moved by Jacobs and seconded by Morgan that House Bill No. 183 be referred to the Committee of the Whole.

Carried.

HOUSE BILL NO. 253, BY CEASER, BRADFORD, CROW, STOREY AND WILSON, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Hanmer, Hendricks, Hill, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Jones, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 53. Ayes, 53. Nays, none. Absent, not voting, 6.

And so the bill passed, title was approved, and House Bill No. 253 was ordered transmitted to the Senate.

HOUSE BILL NO. 63, BY McCABE, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" the roll was called with the following result:

Ayes—Arthur, Baldrige, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Eckles, Eimers, Farmin, Featherstone, Friend, Galloway, Hanmer, Hendricks, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker Pincock, Sanborn, Sorenson, Taylor, Thompson, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Allred, Dunning, Gibson, Jones, Smith, Strode, Walker.

Total number of votes, 49. Ayes, 42. Nays, 7. Absent, not voting, 9. Kerby excused from voting.

And so the bill passed, title was approved, and House Bill No. 63 ordered transmitted to the Senate.

HOUSE BILL NO. 237, BY COMMITTEE ON PUBLIC HEALTH, read a third time at length, section by section, for final action.

Taylor moved that House Bill No. 237 be referred to the Committee of the Whole.

Seconded by Jayner

Motion carried.

HOUSE BILL NO. 228, BY ALLRED AND NIELSEN, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" the roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Ceaser, Crow, Davis, Eckles, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Hammer, Hendricks, Hill, Holmberg, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Hutton, Parker.

Total number of votes, 53. Ayes, 51. Nays, 2. Absent, not voting, 6.

And so the bill passed, title was approved, and House Bill No. 228 was ordered transmitted to the Senate.

HOUSE BILL NO. 72, BY GLENNON, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Hammer, Hendricks, Hill, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Sanborn, Smith, Sorenson, Stephens, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood.

Nays—None.

Total number of votes, 52. Ayes, 52. Nays, none. Absent, not voting, 7.

And so the bill passed, title was approved, and House Bill No. 72 was ordered transmitted to the Senate.

HOUSE BILL NO. 209, BY DAVIS, BLACK, FEATHERSTONE, MORGAN, GALLOWAY, GLENNON, TERRELL, EDGINGTON, BRADFORD, HILL AND CROW, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" the roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Hammer, Hendricks, Hill, Holmberg, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 54. Ayes, 54. Nays, none. Absent, not voting, 5.

And so the bill passed, title was approved, and House Bill No. 209 was ordered transmitted to the Senate.

HOUSE BILL NO. 74, BY GALLOWAY, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" the roll was called with the following results:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Eimers,

Farmin, Featherstone, Friend, Galloway, Gibson, Hanmer, Hendricks, Hill, Holmberg, Hyde, Hutton, Jacobs, Jayne, Jenson, Johnson, Jones, Kerby, Leaf, McCabe, Nelson, Neilsen, Nihart, Oakes, Parker, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Morgan.

Total number of votes, 54. Ayes, 53 Nays, 1. Absent, not voting, 5.

And so the bill passed, title was approved, and House Bill No. 74 was ordered transmitted to the Senate.

HOUSE BILL NO. 220, BY WILSON, withdrawn by unanimous consent of the House

HOUSE BILL NO. 157, BY BLACK, THOMPSON, LEAF AND NELSON, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result.

Ayes—Allred, Arthur, Baldridge, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Elmers, Farmin, Featherstone, Friend, Galloway, Gibson, Hanmer, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Walker.

Total number of votes, 55. Ayes, 54. Nays, 1. Absent, not voting, 4.

And so the bill passed, title was approved, and House Bill No. 157 was ordered transmitted to the Senate.

HOUSE BILL NO. 51, BY GLENNON, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldridge, Bell, Berry, Bower, Black, Bradford, Bradley, Burrell, Ceaser, Crow, Dunning, Eckles, Edgington, Elmers, Farmin, Featherstone, Friend, Galloway, Gibson, Hanmer, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jenson, Johnson, Jones, Kerby, Leaf, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Davis, Jayne, Morgan, Sanborn, Walker.

Total number of votes, 56. Ayes, 51. Nays, 5. Absent, not voting, 3.

And so the bill passed, title was approved, and House Bill No. 51 was ordered transmitted to the Senate

HOUSE BILL NO. 111, BY SMITH, AS AMENDED BY THE SENATE, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" the roll was called with the following result:

Ayes—Allred, Arthur, Baldridge, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Elmers, Farmin, Featherstone, Friend, Galloway, Gibson, Hanmer, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 56. Ayes, 56 Nays, none. Absent, not voting, 3.

And so the bill passed, title was approved, and House Bill No. 111 was ordered enrolled.

HOUSE BILL NO. 87, BY HANMER (AS AMENDED BY THE SENATE) read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Hanmer, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Johnson, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 55. Ayes, 55. Nays, none. Absent, not voting, 4.

And so the bill passed, title was approved, and House Bill No. 87 was ordered enrolled.

HOUSE BILL NO. 75 (SUBSTITUTE FOR HOUSE BILL NO. 43), BY JACOBS (BY REQUEST), read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Dunning, Eckles, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Hanmer, Hendricks, Hill, Holmberg, Hyde, Hutton, Jacobs, Jayne, Jenson, Johnson, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Davis, Walker.

Total number of votes, 55. Ayes, 53. Nays, 2. Absent, not voting, 4.

And so the bill passed, title was approved, and House Bill No. 75 ordered transmitted to the Senate.

HOUSE BILL NO. 82, BY BELL AND MORGAN, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Hanmer, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 55. Ayes, 55. Nays, none. Absent, not voting, 4.

And so the bill passed, title was approved, and House Bill No. 82 was ordered transmitted to the Senate.

HOUSE BILL NO. 203 (SUBSTITUTE FOR HOUSE BILL NO. 125), BY DAVIS, EDGINGTON AND BRADLEY, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Hanmer, Hen-

dricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 55. Ayes, 55. Nays, none. Absent, not voting, 4.

And so the bill passed, title was approved, and House Bill No. 203 was ordered transmitted to the Senate.

HOUSE BILL NO. 107, BY BOWER, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Hanmer, Hendricks, Hill, Holmberg, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Eckles, Hutton.

Total number of votes, 56. Ayes, 54. Nays, 2. Absent, not voting, 3.

And so the bill passed, title was approved, and House Bill No. 107 was ordered transmitted to the Senate.

HOUSE BILL NO. 196, BY BELL, read a third time at length, section by section, for final action.

Moved by Terrell and seconded by Gibson that House Bill No. 196 be referred to the Committee on Appropriations.

Motion carried.

HOUSE BILL NO. 188, BY COMMITTEE ON PUBLIC HEALTH, read a third time at length, section by section, for final action.

Moved by Hutton and seconded by Jenson that House Bill No. 188 be referred to the Committee of the Whole.

Motion withdrawn.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Hanmer, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 55. Ayes, 55. Nays, none. Absent, not voting, 4.

And so the bill passed, title was approved, and House Bill No. 188 was ordered transmitted to the Senate.

House, by unanimous consent, returned to the Ninth Order of Business.

Motions and Resolutions.

Moved by Davis and seconded by Jayne that the vote by which Senate Bill No. 3 passed the House be reconsidered.

Motion carried.

Davis then moved that Senate Bill No. 3 be placed on the General Calendar. Seconded by Morgan.

Motion carried.

Moved by Dunning, and seconded by Johnston, that three hundred additional copies of House Bill No. 219 be printed.

Motion carried.

Hanmer moved that five hundred copies of House Bill No. 240 (Codified School Laws) be printed.

Seconded by Bradford.

Motion carried.

Moved by Sanborn that the Appropriation Committee furnish the House an itemized statement of the amounts of moneys appropriated up to date, and that said report be furnished not later than Wednesday morning, February 15th.

Seconded by Hill.

Motion carried.

Unanimous consent was given Farmin to withdraw House Bill No 205.

On motion of Black, House took a recess until 2 p. m.

Afternoon Session.

House met pursuant to adjournment. Mr. Speaker in the chair.

Roll call showed all members present, except Glennon, excused, and Hellekson, excused on account of sickness.

Reports of Standing Committees.

The Committee on Printing submitted the following report:

Mr. Speaker:

Your Committee on Printing herewith report that we have had correctly printed and distributed the following: House Bills Nos. 255, 276, 286, 292, 293, 294, 295, 299, 301, 302, 304, 305, 306, 307, 308, 309 and 100.

The following have been read by copy, corrected and sent to the printer: House Bills Nos. 318, 334, 335, House Joint Resolution No. 16.

JONES,
Chairman.

Report received.

The Judiciary Committee submitted the following report:

Mr. Speaker:

We, your Committee on Judiciary, beg leave to report that we have had under consideration Senate Bill No. 7, and recommend that it do pass.

FEATHERSTONE,
Chairman.

Report received, and Senate Bill No. 7 filed for third reading.

The Committee on Charitable and Penal Institutions submitted the following report:

Mr. Speaker:

Your Committee on Charitable and Penal Institutions, having had under consideration House Bill No. 174, by Crow, hereby renders its report as follows: We recommend that the bill do pass.

WILSON,
CROW.

Mr. Speaker:

Your Committee on Charitable and Penal Institutions, having had under consideration House Bill No. 201, by Ceaser, recommends that the bill do pass.

(Signed)

CEASER,
CROW,
BRADFORD.

Report adopted and House Bills Nos. 174 and 201 ordered engrossed.

Message From the Senate.

The following message was received from the Senate:

Mr. Speaker:

I have the honor to transmit herewith Senate Bills Nos 104, 110, 95 and 68, which have passed the Senate.

Also House Bill No. 236, which has passed the Senate

CHARLES J. LISLE,

Assistant Secretary of Senate.

Message received and Senate Bills Nos. 104, 110, 95 and 68 filed for first reading, House Bill No. 236 ordered enrolled.

First Reading of Senate Bills, Concurrent Resolutions and Joint Memorials.

The following Senate Bills were read first time in full:

S. B. No 68, by Poole.

S. B. No. 95, by Poole

S. B. No 104, by Preston.

S. B. No. 110, by Judiciary Committee.

Report of Engrossing Committee.

The Committee on Engrossed and Enrolled Bills submitted the following report:

Mr. Speaker:

We, your Committee on Engrossed and Enrolled Bills, beg leave to report House Bills Nos. 185, 229 and 171 correctly engrossed.

BOWER,

Acting Chairman

Third Reading of Senate Bills, Concurrent Resolutions and Joint Memorials and Final Action Thereon.

SENATE BILL NO 7, BY ST. CLAIR, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Elmers, Farmin, Featherstone, Friend, Galloway, Gibson, Hammer, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Johnson, Johnston, Jones, Morgan, Nelson, Nielsen, Nihart, Oakes, Parker, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 52 Ayes, 52. Nays, none. Absent, not voting, 7.

And so the bill passed, title was approved and Senate Bill No. 7 was ordered transmitted to the Senate.

Third Reading of House Bills, Joint Resolutions and Memorials and Final Action Thereon.

HOUSE BILL NO. 276, BY COMMITTEE ON PUBLIC HEALTH, read a third time at length, section by section, for final action.

Moved by Johnston and seconded by Wilson that House Bill No. 276 be referred back to the Committee on Public Health.

Motion carried.

Committee of the Whole.

On motion of Davis, House resolved itself into Committee of the Whole for the consideration of the General Calendar. Black in the Chair.

House in Regular Session.

The Committee of the Whole submitted the following report:
Mr. Speaker:

The Committee of the Whole has had under consideration the General Calendar and makes the following recommendations:

That House Bill No. 158 be amended as follows:

Amend the title by adding thereto after the last word of said title as follows:

"In counties which now are, or may hereafter be constituted counties of the first class, as provided by Section 2117 of the Political Code of Idaho, as amended by an Act of the Legislature, approved March 13, 1909."

That said bill be amended by striking out paragraph numbered 5 thereof and in lieu of said paragraph numbered 5 add the following:

"(5) In counties which now are or may hereafter be constituted counties of the first class, as provided by Section 2117 of an Act of the Legislature, approved March 13, 1909, no person shall be eligible to be elected or appointed to the office of Probate Judge who is not an attorney-at-law, regularly admitted to practice as such under the laws of the State of Idaho."

And that as so amended the bill do pass.

That House Bill No. 202, by Hill be amended as follows:

Add "Blaine, Boise and Washington" to list of counties of the first class and strike out "Blaine," "Boise" and "Washington" from the list of counties of the second class.

In Section 1, line 7, the word "Bingham" be stricken out and the word "Canyon" substituted in its place, and in line 10 of the same section the word "Canyon" be stricken out and the word "Bingham" substituted in its place.

Strike out Section 2 of the bill.

And as thus amended the bill do pass.

That House Bill No. 177, by Morgan, be amended as follows:

Strike out all of Section 2 after the word "misdemeanor."

And that as amended the bill do pass.

That House Bill No. 212, by Warnick, be indefinitely postponed.

That House Bill No. 118, by Hendricks, be amended as follows:

In line 20, page 3, strike out "person or," the same being between "all" and "persons."

At the end of line 2 in the title, after the word "guard," insert the following: "Providing for fencing the same at the expense of said companies," and in the fourth and fifth lines of the title erase the words "and the expense of such fencing." In the sixth line of Section 1, insert the word "or" between the words "through" and "along," strike out the words "or adjoining" and insert the word "adjoining" between the word "or" and "cultivated," making line 6 read as follows: "Passing through or along enclosed or adjoining fields."

In line 27, Section 1, strike out the words, "or upon lands on enclosures."

And that as so amended the bill do pass.

That Senate Bill No. 13 do pass.

That House Bill No. 197, by Baldridge, be amended as follows:

In line 10 of Section 9, strike out the words and figures, "twenty dollars (\$20)," and insert the following: "Twenty-five dollars (\$25)."

In line 3 of Section 9, strike out after the word "State," the word "to" and insert the following, "and having an institution in this State and none other." Strike out the words "a reasonable sum" from said line 3 and insert in lieu thereof the words "ten dollars per month for each child so cared for."

Strike out of line 1 of Section 9 the words "have the power."

Strike out from line 4, Section 9, the words and figures "not to exceed one thousand dollars (\$1,000) payable quarterly."

And that as thus amended the bill do pass.

BLACK,

Chairman.

Black moved the adoption of the report of the Committee of the Whole. Seconded by Morgan.

Motion carried.

Report adopted.

Bills Signed By the Speaker.

Speaker, in the presence of the House, signed Senate Bills Nos. 46, 57, 12, 42 and 5, and Senate Joint Memorial No. 3.

House returned to the Tenth Order of Business.

Introduction of Bills, Concurrent Resolutions and Joint Memorials.

The following bills were introduced:

H. B. NO. 343, BY HILL.

An Act to create and organize the County of Clark and to define the boundaries thereof, and to define the boundaries of Fremont County; to fix the county seat of said Clark County; to provide for the apportionment of the indebtedness of Clark County between Fremont County and Clark County; to provide for the appointment of officers in said Clark County, and for transcribing that portion of the records of Fremont County pertaining to persons and property within Clark County; and to constitute the County of Clark a part of the Sixth Judicial District of the State of Idaho and a part of the Eighth Senatorial District of the State of Idaho; and for other purposes; and declaring an emergency.

H. B. NO. 344, BY JENSON.

An Act to create and organize the County of Teton and to define the boundaries thereof, and to define the boundaries of Fremont County; to fix the county seat of said Teton County; to provide for appointment of officers in said Teton County, and for transcribing that portion of the records of Fremont pertaining to persons and property within Teton County; to constitute the County of Teton a part of the Sixth Judicial District of the State of Idaho and a part of the Senatorial District of the State of Idaho; and for other purposes; and declaring an emergency.

H. B. NO. 345, BY GIBSON.

An Act to create and organize the County of Jefferson and to define the boundaries thereof, and to define the boundaries of Fremont County; to fix the county seat of said Jefferson County; to provide for appointment of officers in said Jefferson County, and for transcribing that portion of the records of Fremont County, pertaining to persons and property within Jefferson County; to constitute the County of Jefferson a part of the Sixth Judicial District of the State of Idaho and a part of the Senatorial District of the State of Idaho; and for other purposes and declaring an emergency.

H. B. NO. 346, BY JOHNSTON (BY REQUEST).

An Act amending Section 1839 of Chapter 2, Title 10, of the Revised Codes of Idaho, relating to issuance of State-wide license to auctioneers, and fixing a fee therefor; making an appropriation; and repealing all Acts in conflict herewith.

First Reading of House Bills, Concurrent Resolutions and Joint Memorials.

The following House Bills were read first time in full:

H. B. No. 343, by Hill.

H. B. No. 344, by Jenson.

H. B. No. 345, by Gibson.

H. B. No. 346, by Johnston.

Moved by Jacobs and seconded by Wood that House adjourn until 9 a. m. Tuesday.

Motion carried.

House adjourned.

CHARLES D. STOREY,
Speaker.

JAMES H. WALLIS,
Chief Clerk.

TUESDAY, FORTY-FOURTH DAY, FEBRUARY 14, 1911.**Morning Session.**

Hall of the House of Representatives.

Boise, Idaho, February 14, 1911.

House met pursuant to adjournment. Mr. Speaker in the Chair.

Prayer was offered by the Chaplain.

Roll call showed all members present except Glennon and McCabe, who were excused.

The Journal for the forty-third day was read.

The Committee on Journal submitted the following report:

Mr. Speaker:

We, your Committee on Journal, beg to report that we have had under consideration the Journal for the forty-third day and have corrected the same, and move that the Journal for that day be approved.

WARNICK,
Chairman.

Report adopted and Journal for the forty-third day approved.

Special Order.

The hour of 9 a. m. having arrived. Speaker announced that House Bill No. 155, made a special order, would be considered at this time.

By unanimous consent, and before the consideration of House Bill No. 155, House advanced to the Seventh Order of Business.

Reports of Standing Committees.

The Committee on State Affairs submitted the following report:

Majority Report.

Mr. Speaker:

We, your Committee on State Affairs, respectfully report that we have had under consideration House Joint Memorial No. 7 and recommend that it do not pass.

JOHNSTON,
FEATHERSTONE,
BALDRIDGE,
BRADFORD,
HANMER.

Minority Report.

Mr. Speaker:

We, your Committee on State Affairs, respectfully report that we

have had under consideration House Joint Memorial No 7 and recommend that it do pass.

KERBY,
NELSON,
PINCOCK.

Reports accepted.

The Committee on Appropriations submitted the following report:

Mr. Speaker:

The Committee on Appropriations having had under consideration Senate Bill No 80, hereby renders its report as follows: That the bill do pass.

Also House Bill No. 247 and recommends that the same do pass

Also House Bill No. 156 and recommends that as amended by the Committee on Military and Indian Affairs, the same do pass

Also Senate Bill No. 18, and recommends that the bill do not pass.

BELL,
Chairman.

Report adopted and House Bill No. 247 ordered engrossed. Senate Bill No. 80 filed for third reading.

The Committee on Railroads submitted the following report:

Mr. Speaker:

We, your Committee on Railroads, Carriers and Other Public Corporations, having had under consideration Senate Bill No 51, return the same to the House with the recommendation that it be referred to the Committee on Banks and Banking.

DAVIS,
Chairman.

Report adopted.

The Committee on Printing submitted the following report:

Mr. Speaker:

Your Committee on Printing herewith report that we have had correctly printed and distributed the following:

House Bill No. 310; House Joint Resolution No. 15.

The following have been read by copy, corrected and sent to the printer:

House Bills Nos 296, 336, 338, 339, 340, 342, 343, 345 and 346.

JONES,
Chairman.

Report accepted.

The Committee on Engrossed and Enrolled Bills submitted the following report.

Mr. Speaker:

We, your Committee on Engrossed and Enrolled Bills, report House Bills Nos 201 and 174 correctly engrossed

BOWER,
Acting Chairman.

Report received and House Bills Nos 201 and 174 filed for third reading.

The Committee on Irrigation, Reservoirs and Reclamation submitted the following reports:

Mr. Speaker:

We, your Committee on Irrigation, Reservoirs and Reclamation, having had under consideration House Bill No. 294, beg to recommend that it be referred to the Committee on Judiciary.

Also House Bill No. 295 beg to recommend that it do pass.

NIHART,
Chairman.

Majority Report.

Mr. Speaker.

We, your Committee on Irrigation, Reservoirs and Reclamation, re-

spectfully report that we have had under consideration House Bill No. 251 and recommend that it do pass.

WILSON,
WARNICK,
WALKER.

Reports accepted and House Bills Nos. 295 and 251 ordered engrossed.

The Committee on Judiciary submitted the following report:

Mr. Speaker:

We, your Committee on Judiciary, respectfully report that we have had under consideration House Bill No. 310 and recommend that it do pass.

Also House Bill No. 266 and recommend that it do pass.

FEATHERSTONE,
Chairman.

Report adopted, and House Bills Nos. 310 and 266 ordered engrossed.

Motions and Resolutions.

Davis moved that Charles A. Hackney and Martha La Rocque be employed by the House at a salary of \$5.00 per day, as additional help for proof reading and other clerical work. Seconded by Jones. Motion carried.

Smith asked unanimous consent of the House that House Bill No. 202 be recommitted to the General Calendar. Granted.

Introduction of Bills, Concurrent Resolutions and Joint Memorials.

The following bills were introduced:

H. J. R. NO. 17, BY JOHNSON.

Joint Resolution to be submitted to the electors of the State of Idaho for rejection or approval, amending Section 1 of Article 3 of the State Constitution so as to provide that the people shall have the power to propose laws of their own initiative and to enact the same at the polls independent of the Legislature; and providing that the Legislature shall enact the necessary laws to carry this amendment into effect.

H. J. R. NO. 18, BY JOHNSON.

Joint Resolution to be submitted to the electors of the State of Idaho for rejection or approval, amending Section 1 of Article 3 of the State Constitution so as to provide that the people shall have the power to propose a referendum vote on any Act or measure passed by the State Legislature, and to approve or reject the same at the polls; and providing that the Legislature shall pass the necessary laws to carry this amendment into effect.

H. J. R. NO. 19, BY JOHNSON.

Joint Resolution to be submitted to the electors of the State of Idaho for rejection or approval, amending Article 6 of the State Constitution by adding thereto Section 6 so as to provide that the electors of the State or of any electoral district therein may recall any public officer, except judicial officers, before the expiration of his term of office; and providing that the Legislature shall pass the necessary laws to carry this amendment into effect.

H. B. NO. 347, BY JONES.

An Act to repeal Sections 1 and 2 of an Act entitled "An Act to create the office of General Road Overseer in counties, and providing for his appointment, term, duties, compensation and bond," approved March 13, 1909.

H. B. NO. 348, BY ECKLES (BY REQUEST).

An Act to protect keepers of livery barns and automobile garages; and to make certain acts misdemeanors, and to provide a punishment therefor.

H. B. NO. 349, BY BRADLEY.

An Act to amend Section 2415 of the Revised Codes of the State of Idaho relating to the sale of delinquent property within irrigation districts.

H. B. NO. 350, BY HANMER AND LEAF.

An Act to amend Section 1965 of the Revised Codes relating to county bonds.

H. B. NO. 351, BY HANMER, LEAF, WILSON AND KERBY.

An Act to amend Section 805 of the Civil Code, Revised Codes of Idaho, defining the purposes and scope of the State Industrial Training School established at the town of St. Anthony, in Fremont County, State of Idaho

First Reading of House Bills, Concurrent Resolutions and Joint Memorials.

The following House Bills were read first time in full:

H. J. R. No. 17, By Johnson.

H. J. R. No. 18, by Johnson.

H. J. R. No. 19, by Johnson.

H. B. No. 347, by Jones.

H. B. No. 348, by Eckles (by request).

H. B. No. 349, by Bradley.

H. B. No. 350, by Hanmer and Leaf.

H. B. No. 351, by Hanmer, Leaf, Wilson and Kerby.

Second Reading and Reference of House Bills, Concurrent Resolutions and Joint Memorials.

The following House bills were read second time in full:

H. B. No. 335, by Jacobs, Eimers and Bell.

H. B. No. 336, by Baldrige.

H. B. No. 337, by Baldrige.

H. B. No. 338, by Baldrige.

H. B. No. 339, by Wilson.

H. B. No. 340, by Johnston, Davis and Terrell.

H. B. No. 341, by Committee on Irrigation, Reservoirs and Reclamation.

H. B. No. 342, by Committee on Irrigation, Reservoirs and Reclamation.

H. J. R. No. 16, by Black.

H. J. M. No. 8, by Black and Bell.

Reference of Bills.

Speaker referred the following bills to their respective committees:

H. B. No. 335, Appropriations.

H. B. No. 336, Irrigation, Reservoirs and Reclamation.

H. B. No. 337, Irrigation, Reservoirs and Reclamation.

H. B. No. 338, Irrigation, Reservoirs and Reclamation.

H. B. No. 339, Charitable and Penal Institutions.

H. B. No. 340, Judiciary.

H. B. No. 341, Irrigation, Reservoirs and Reclamation.

H. B. No. 342, Irrigation, Reservoirs and Reclamation.

H. B. No. 343, County Lines and Boundaries.

H. B. No. 344, County Lines and Boundaries.

H. B. No. 345, County Lines and Boundaries.

H. B. No. 346, Judiciary.

H. J. M. No. 8, Federal Relations and Memorials to Congress.

H. J. R. No. 16, State Affairs.

S. B. No. 104, Judiciary.

S. B. No. 68, Roads, Bridges and Ferries.

S. B. No. 110, Judiciary.

S. B. No. 95, Irrigation, Reservoirs and Reclamation.

Second Reading of Printed Amendments to House Bills.

Printed amendments to the following House Bills were read second time in full:

H. B. No. 149.

H. B. No. 150.

H. B. No. 181.

H. B. No. 187.

Special Order—House Bill No. 155.

Terrell moved that House Bill No. 155 be referred to the Committee of the Whole.

Seconded by Edgington.

Roll call was demanded on the motion by Terrell with the following result:

Ayes—Arthur, Ceaser, Eckles, Edgington, Friend, Galloway, Gibson, Hendricks, Hill, Hutton, Hyde, Jayne, Jenson, Kerby, Nelson, Parker, Pincock Stephens, Terrell, Walker, Wilson.

Nays—Allred, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Crow, Davis, Dunning, Eimers, Farmin, Featherstone, Hanmer, Hellekson, Holmberg, Jacobs, Johnson, Johnston, Jones, Leaf, Morgan, Nielsen, Nihart, Oakes, Sanborn, Smith, Sorenson Strode, Taylor, Thompson, Warnick, Wood, Mr. Speaker.

Total number of votes, 57. Ayes, 21. Nays, 36. Absent, not voting, 2.

And so the motion was declared lost.

HOUSE BILL NO. 155, BY SMITH AND CROW, was then read a third time at length, section by section, for final action.

Dunning moved that the debate on this bill be limited to ten minutes to each speaker.

Seconded by Walker.

Terrell moved as a substitute motion that the time of debate be limited to 15 minutes for each speaker.

Seconded by Hill.

Davis moved as a substitute for all pending motions that debate on this bill close at 12 o'clock.

Motion withdrawn.

The question then was on the substitute motion by Terrell.

Motion lost.

Question then was that debate be limited to ten minutes for each speaker.

Motion carried.

Moved by Black and seconded by Dunning that the House hear all the arguments on House Bill No. 155 and vote upon the measure before adjournment was taken.

Motion carried.

Senate Bills Signed by the Speaker.

Speaker, in the presence of the House, signed Senate Bills Nos. 7, 8 and 27.

Gibson moved that House reconsider the motion made to dispose of House Bill No. 155 before adjournment.

Seconded by Walker.

Motion lost.

Terrell moved that House adjourn to 1:30 p. m.

Motion declared out of order by the Speaker.

Moved by Hutton and seconded by Terrell that House do now adjourn.

Motion to adjourn declared out of order by the Speaker.

Davis moved the previous question that vote on House Bill No. 155 be now taken.

Seconded by Johnston.

Motion carried.

Morgan moved that the previous question be not enforced until after the gentleman from Bannock, Mr. Terrell, had spoken and then debate be closed.

Seconded by Dunning.

Motion carried.

The question being "Shall House Bill No. 155 pass?" roll was called with the following result:

Ayes—Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eimers, Farmin, Featherstone, Galloway, Hanmer, Holmberg, Hutton, Jacobs, Jayne, Johnson, Johnston, Jones, Kerby, Morgan, Nihart, Oakes, Pincock, Sanborn, Smith, Sorenson, Strode, Thompson, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Allred, Arthur, Eckles, Edgington, Friend, Gibson, Hendricks, Hill, Hyde, Jenson, Nelson, Nielsen, Stephens, Taylor, Terrell, Walker.

Total number of votes, 54. Ayes, 38. Nays, 16. Absent, not voting,

5. Parker paired with Hellekson. Leaf paired with Glennon, absent. And so the bill passed, title was approved, and House Bill No. 155 ordered transmitted to the Senate.

Moved by Davis and seconded by Farmin that House adjourn until 9 a. m. Wednesday.

Motion carried.

House adjourned.

CHARLES D. STOREY,
Speaker.

JAMES H. WALLIS,
Chief Clerk.

WEDNESDAY, FORTY-FIFTH DAY, FEBRUARY 15, 1911.

Morning Session.

Hall of House of Representatives,
Boise, Idaho, February 15, 1911.

House met pursuant to adjournment. Mr. Speaker in the chair.

Prayer was offered by the Chaplain.

Roll call showed all members present except Glennon, who was excused.

Journal for the forty-fourth day was read.

The Committee on Journal submitted the following report:

Mr. Speaker:

We, your Committee on Journal, beg to report that we have had under consideration the Journal for the forty-fourth day, and have corrected the same, and move that the Journal for that day be approved.

WARNICK,
Chairman.

Report adopted and Journal for the forty-fourth day approved.

Hill moved that House Bill numbered 343, which was introduced by him on February 13th numbered 345, be numbered 345

Seconded by Pincock.

Motion lost.

Charles A. Hackney and Martha La Rocque came forward and were sworn in as proofreaders by the Speaker.

SPECIAL ORDER—HOUSE BILL NO. 219.

The hour of 9:30 having arrived, House Bill No. 219, made a special order, was taken up for final consideration.

HOUSE BILL NO. 219, BY NIHART, JAYNE, HENDRICKS AND DUNNING, was read a third time at length, section by section, on February 10, 1911, and made a special order for February 15, 1911.

The question being, "Shall the bill pass?" roll was called, with the following result:

Ayes—Allred, Bell, Black, Bower, Dunning, Eckles, Elmers, Farmin, Friend, Gibson, Hellekson, Hendricks, Hill, Hutton, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Parker, Pincock, Sanborn, Sorenson, Stephens, Strode, Thompson, Walker, Wood.

Nays—Baldridge, Bradford, Bradley, Ceaser, Davis, Featherstone, Hyde, Jacobs, Taylor, Warnick, Wilson, Mr. Speaker.

Total number of votes, 47. Ayes, 35. Nays, 12. Absent, not voting, 12.

And so the bill passed, title was approved, and House Bill No. 219 was ordered transmitted to the Senate.

Reports of Standing Committees.

The Committee on Appropriations submitted the following report:
Mr. Speaker:

Your Committee on Appropriations, having had under consideration House Bill No. 59, by Bradford, hereby renders its report as follows, reference as to lines and sections being had to the printed bill: That the words, "Be it Enacted by the Legislature of the State of Idaho" be inserted immediately after the title. That at the end of line one and the beginning of line two, Section 13, the word "annually" be stricken out, and that in lieu thereof be inserted the following: "for the years 1911 and 1912." That the end of line 5 and beginning of line 6 of Section 13, the words and figures "Seventeen Thousand Five Hundred Dollars (\$17,500)" be stricken out, and in lieu thereof be inserted the following: "Eight Thousand Seven Hundred and Fifty Dollars (\$8750)." That in line 6 of Section 13, after the word "utilize" the words "in the payment of premiums offered at the annual State Fair and Seven Thousand Five Hundred Dollars (\$7500)" be stricken out, and in lieu thereof be inserted "in each of said years in the payment of premiums offered and for general fair purposes and Three Thousand Seven Hundred and Fifty Dollars (\$3750)."

That as so amended the bill do pass.

Also House Bill No. 6, and recommends that the bill do pass.

Also House Bill No. 301, and report the same out without recommendation.

Also House Bill No. 128, and report the same out without recommendation.

BELL,
Chairman.

Report adopted and H. B. No. 6 referred to Engrossing Committee and ordered engrossed.

The Committee on State Affairs submitted the following report:
Mr. Speaker:

We, your Committee on State Affairs, having had under consideration House Bill No. 257, by Bradford, beg leave to report that we recommend that the bill be amended by striking out Section 9, and substituting the following section to be known as Section 9: "The

provisions of this Act shall not apply to Government land drawings, or to Carey Act land drawings, or any land or townsite drawings, or to the partitioning or division of real property and improvements thereon between joint owners or tenants in common, by lot or any other method that such joint owners or tenants in common, or their representatives, may agree upon." And further, that the bill do pass as amended.

Also having had under consideration Senate Bill No. 44, by Macbeth, beg leave to report that we recommend that the bill do pass.

Also House Bill No. 329, by Johnston, and beg leave to report that we recommend the bill be amended by striking out the emergency clause, and that, as so amended, the bill do pass.

Also House Bill No. 302, by Bradford (by request), beg leave to report that we recommend that the bill do pass.

Also House Bill No. 243, by Wood, beg leave to report that we recommend that the bill do not pass.

Also House Bill No. 238, by Taylor, beg leave to report that we recommend that the bill do pass.

Also House Bill No. 217, by Davis, beg leave to report that we recommend that the bill be amended by striking out the emergency clause, and that as so amended, the bill do pass.

JOHNSTON,

Chairman.

Report received and House Bills Nos. 302 and 238 referred to Engrossing Committee and ordered engrossed. Senate Bill No. 44 filed for third reading.

The Committee on Privileges and Elections submitted the following reports:

Majority Report.

To the Speaker and House of Representatives:

We, your Committee on Privileges and Elections, respectfully report that we have had under consideration Senate Bill No. 58, and recommend that it do pass.

BRADLEY,

Chairman.

THOMPSON,

JONES.

Minority Report.

To the Speaker and House of Representatives

We, your Committee on Privileges and Elections, respectfully report that we have had under consideration Senate Bill No. 58, and recommend that it do not pass.

HENDRICKS.

HUTTON,

Reports received.

The Committee on Fish and Game submitted the following report:
Mr. Speaker-

We, your Committee on Fish and Game, having had under consideration House Bill No. 258 (Substitute for House Bill No. 79), by Johnson, Jayne, Sanborn, Sorenson and Stephens, by Committee on Fish and Game, respectfully recommend that the same do pass.

FARMIN,

Chairman.

Report received, and House Bill No. 258 ordered engrossed.

The Judiciary Committee submitted the following report:
Mr. Speaker:

The Judiciary Committee having had under consideration House Bill No. 65, by Hutton, return the same to the House with the recommendation that it do not pass

Also House Bill No. 303, by Featherstone, return the same with the recommendation that it do pass.

Also House Bill No. 304, by Glennon and Featherstone, return the same with the recommendation that it do pass.

Also House Bill No. 273, by Nihart (by request), return the same with the recommendation that it do pass.

Also House Bill No. 61, by McCabe, report same back to the House with the recommendation that it be amended as follows:

At the end of subdivision 3 add the following: "Provided, however, That the foregoing exemptions shall not apply to those contracted by any person, firm or corporation, a resident of the State of Idaho, to the amount of two hundred dollars (\$200) for the necessities of life."

At the end of the fifth subdivision add the following: "Provided, however, That the foregoing exemptions shall not apply to those contracted by any person, firm or corporation, a resident of the State of Idaho, to the amount of two hundred dollars (\$200) for the necessities of life."

At the end of the seventh subdivision add the following: "Provided, however, That the foregoing exemptions in so far as they relate to debts not to exceed two hundred dollars (\$200) contracted for the necessities of life by any person, firm or corporation, a resident of the State of Idaho, shall be limited to the earnings of the judgment debtor for his personal services rendered for not to exceed ten (10) days out of each thirty (30) next preceding the levy of the execution."

At the end of the eighth subdivision add the following: "Provided, however, That the foregoing exemption shall not apply to debts contracted by any person, firm or corporation, a resident of the State of Idaho, for more than two hundred dollars (\$200) for the necessities of life"

At the end of the twelfth subdivision, strike out all after line 68.

And recommend that the bill do pass as amended.

Also House Bill No. 292, by Terrell (by request), return the same with the following amendment: In line 17, after the word "merchandise," insert the following: "or any person, persons, company or corporation who sells or vends or offers for sale any goods, wares and merchandise at such temporary place of business, the same not being listed for taxation in this State." And recommend that said bill do pass as amended.

Also House Bill No. 245, by Davis, recommend that it do pass.

Also House Bill No. 283, by Edgington, return the same to the House with the recommendation that it do pass.

Also House Bill No. 282, by Hyde (by request), return the same with the recommendation that it be placed upon the General Calendar.

Also House Bill No. 330, by the Judiciary Committee, recommend that it do pass.

Also House Bill No. 326, by Johnston, return the same with the recommendation that it do pass.

Also House Bill No. 311, by Strode, Edgington, Morgan, Black, Crow, Davis and Bradford, return the same with the recommendation that it be placed upon the General Calendar.

FEATHERSTONE,

Chairman.

Report received and House Bills Nos. 303, 304, 273, 245, 283, 330 and 326 referred to Engrossing Committee and ordered engrossed.

The Committee on Engrossed and Enrolled Bills submitted the following report:

Mr. Speaker.

We, your Committee on Engrossed and Enrolled Bills, report House Bills Nos 310, 295, 266 and 247 correctly engrossed.

BOWER,
Acting Chairman.

Report received, and House Bills Nos 310, 295, 266 and 247 filed for third reading

Mr. Speaker:

We, your Committee on Engrossed and Enrolled Bills report House Bills Nos 19, 87, 111 and 236 correctly enrolled

BOWER,
Acting Chairman.

Committee on Federal Relations submitted the following report:

Mr. Speaker:

We, your Committee on Federal Relations, Etc., respectfully report that we have had under consideration House Joint Memorial No 8, and recommend that it do pass.

BRADFORD,
Chairman.

Report received and H. J. M. No. 8 referred to Engrossing Committee and ordered engrossed

The Committee on Roads, Bridges and Ferries submitted the following report:

Mr. Speaker:

We, your Committee on Roads, Bridges and Ferries, having had under consideration Senate Bill No 53, beg leave to report that we recommend that the bill be referred to the Appropriations Committee.

Also Senate Bill No. 73, and recommend that the bill be placed on the Calendar

Also having had under consideration House Bills Nos 76, 96, 110 and 113, beg leave to report that we recommend that the bills be laid on the table

Also having had under consideration House Bill No. 286, beg leave to report that we recommend that the bill be amended as follows:

In line 2 of the title, substitute the words "Six Thousand Dollars" in place of "Fifteen Thousand Dollars."

In lines 11 and 12 of the title, substitute the words "Twelve Thousand Dollars" in place of "Fifteen Thousand Dollars."

In line 13 of the title, substitute the words "Six Thousand Dollars" in place of "Ten Thousand Dollars."

In Section 9, line 4, substitute the words "Six Thousand Dollars" in place of "Ten Thousand Dollars."

In line 15 of same section, read "one to six" instead of "one to ten."

In Section 11, line 4, substitute the words "one-fourth mill" for "one-half mill."

In Section 16, lines 4 and 5, substitute the words "Twelve Thousand Dollars" in place of "Fifteen Thousand Dollars"

In lines 7 and 8 of same section, substitute the words "Six Thousand Dollars" in place of "Ten Thousand Dollars."

In line 12 of same section, substitute the words "Six Thousand Dollars" in place of "Ten Thousand Dollars"

In lines 22 and 23 of same section, substitute the words "Six Thousand Dollars" in place of "Ten Thousand Dollars."

And, further, that as so amended, the bill do pass.

JACOBS,
Acting Chairman

Report received.

Motions and Resolutions.

Black moved that all rules of the House interfering with the im-

mediate passage of House Joint Memorial No. 8 be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills and memorials to be read on three several days, be dispensed with, this being a case of urgency, and that House Joint Memorial No. 8 be read the first and second times by title and the third time at length, section by section, for final passage.

Seconded by Thompson.

The question being on the suspension of the rules, roll was called with the following result:

Ayes—Allred, Arthur, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Hanmer, Hellekson, Gibson, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 55. Ayes, 55. Nays, none. Absent, not voting, 4.

And so the rules were suspended, and House Joint Memorial No. 8 was read first and second times by title and third time at length, section by section, for final action.

The question being, "Shall the memorial pass?" roll was called with the following result:

Ayes—Allred, Baldridge, Bell, Berry, Black, Bower, Bradley, Burrell, Davis, Dunning, Eckles, Edgington, Farmin, Featherstone, Friend, Gibson, Hanmer, Hellekson, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 52. Ayes, 52. Nays, none. Absent, not voting, 7.

And so the memorial passed, title was approved, and House Joint Memorial No. 8 was ordered transmitted to the Senate.

House and Senate Bills Signed by the Speaker.

The Speaker, in the presence of the House, signed House Bills Nos. 19, 87, 111 and 236, and Senate Bill No. 14.

Galloway introduced the following Concurrent Resolution, and moved its adoption:

H. C. R. NO. 9, BY GALLOWAY.

Whereas, At an executive session of the Joint Investigating Committee, as provided in House Concurrent Resolution No. 2, was held in the Council Chamber, City Hall, Boise, on the evening of February 14, 1911; and,

Whereas, it was ordered at said session that the public should be excluded during the deliberations of the committee on matters of purely public interest and those persons who were present, among whom were representatives of certain newspapers, were compelled to retire;

Therefore, Be it resolved by the State Legislature of Idaho, that all meetings of whatsoever kind of the Joint Investigating Committee shall be open to the public, and especially to newspaper reporters, at all times and under all circumstances.

Seconded by Kerby.

Davis moved, as a substitute motion, that House Concurrent Resolution No. 9 be indefinitely postponed.

Seconded by McCabe.

Motion withdrawn.

Davis moved to amend the resolution by striking out all except the last section.

Unanimous consent was given Galloway to withdraw the first two clauses of the resolution so that it would read as follows:

"Be it resolved by the State Legislature of Idaho, that all meetings of whatsoever kind of the Joint Investigating Committee shall be open to the public, and especially to newspaper reporters, at all times and under all circumstances"

The question was then on the adoption of the resolution as so amended.

Motion carried.

Introduction of Bills, Concurrent Resolutions and Joint Memorials.

The following bills were introduced:

H. J. M. NO. 9. BY SANBORN.

A Joint Memorial memorializing the President of the United States, The Secretary of the Interior and the Secretary of Agriculture that Townships 54 and 55 North, Range 2 East, Boise Meridian, be eliminated from the Coeur d'Alene National Forest Reserve, and that they be made available for homestead entry at once

H. J. R. NO. 20, BY BRADFORD

A Joint Resolution to be submitted to the electors of the State of Idaho, for their rejection or approval, proposing the amendment of Section 3, of Article 8, of the Constitution of the State of Idaho for the purpose of permitting cities to guarantee the payment of special improvement bonds issued for the payment of special assessments in special improvement districts without the assent of two-thirds of the qualified electors of said cities

H. J. R. NO. 21, BY THE JUDICIARY COMMITTEE.

A Joint Resolution proposing the amendment of Section 18 of Article 5 of the Constitution of the State of Idaho, submitting to the electors of said State, for their rejection or approval, an amendment to said Section 4; providing as compensation for the prosecuting attorney of each county of the State such salary, payable at such time and in such manner as may be provided by the Legislature by general and uniform laws.

H. J. R. NO. 22, BY THE JUDICIARY COMMITTEE

A Joint Resolution proposing the amendment of Section 6 of Article 18 of the Constitution of the State of Idaho, submitting to the electors of said State, for their rejection or approval, an amendment to Section 6 of Article 18 of the Constitution of the State of Idaho, providing that the Legislature, by general and uniform laws, shall provide for the election biennially in each of the several counties of the State of County Commissioners, a prosecuting attorney, a sheriff, a county treasurer who is ex-officio public administrator, a probate judge, a county superintendent of public instruction, a county assessor who is ex-officio tax collector, a coroner, and a surveyor, and may provide by general, and uniform laws, for the election biennially in each of the several counties of the State of such other county officers as may be empowered by the county commissioners to appoint such deputies and clerical assistants as the business of their offices may require, such deputies and clerical assistants to receive such compensation as may be fixed by the County Commissioners

H. J. R. NO. 23, BY FRIEND AND ARTHUR.

A Joint Resolution proposing the amendment of Article 3, Section

23, of the Constitution of the State of Idaho, submitting to the electors of said State, for their rejection or approval, the question whether said section shall be so amended as to increase the maximum per diem of members of the Legislature to \$10.

H. B. No. 352, BY STEPHENS, EIMERS AND PARKER.

An Act appropriating the sum of six thousand dollars (\$6,000) for the construction of a wagon bridge across the Middle Fork of the Clearwater River just above the South Fork of the Clearwater River in Idaho County; authorizing the use and expenditure of said sum in the preparation of plans and specifications and the construction and erection of said bridge; authorizing and directing the construction of such bridge and approaches; appointing a commission for the direction and control of the work, and designating and appointing the commissioners of Idaho County to act as such bridge commissioners for adopting plans and specifications and awarding the contract for the construction of such bridge, and granting all necessary power and authority to such commission to do and perform all things necessary for the construction thereof. And the approval of the work and acceptance of said bridge; providing that the same shall be the property of the State of Idaho and shall be kept up and maintained by Idaho County and upon the completion and acceptance thereof shall be a free bridge.

H. B. NO. 353, BY NIHART.

An Act prohibiting any county official from using, or allowing to be used, any office, room or vault of the court house or other buildings used for county offices for any business other than the business of the county; to declare the duty of the county commissioners relative to the enforcement of the provisions of the Act, and to fix the penalty for violations of the same.

H. B. NO. 354, BY TERRELL (BY REQUEST).

An Act to amend Section 2238 of the Revised Codes of Idaho by adding thereto Section 2238a giving additional powers to cities and villages within this State.

H. B. NO. 355, BY TERRELL, HENDRICKS AND HYDE.

An Act authorizing a tax levy of three-fifths (3-5) of a mill on the dollar per annum for Academy of Idaho purposes; directing the including of the amount thereof in the general appropriation bill, and authorizing a similar levy and appropriation until this act is repealed; and requiring the Governor's approval of certain expenditures.

H. B. NO. 356, BY JACOBS, BY REQUEST.

An Act to amend Section 3406 of the Revised Codes of the State of Idaho relating to property subject to chattel mortgages, and designating under what circumstances a crop mortgage lien will not attach.

H. B. NO. 357, BY JACOBS, NIHART, JONES, LEAF AND ECKLES.

An Act relating to highways; authorizing the appointment of County Road Supervisors by Boards of County Commissioners; providing for the public County revenues for highway purposes; authorizing Boards of County Commissioners to levy road poll taxes in Counties, and providing for the collection thereof; amending Sections 884, 885, 886, 894, 895, 896, 897, 900, 901, 908, 912, 929 and 951 of the Revised Codes; repealing Sections 898, 899, 903, 904, 906, 909, 910, 911, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 934 and 935 of the Revised Codes; amending Chapter 2 of Title 7 of Part First of the Revised Codes by inserting therein the following new sections: 874a, 882b, 883a, 885a, 887a, 887b, 887c, 887d, 908a, 928a and 928b; repealing an Act entitled "An Act to create the office of General Road

Overser in counties, and providing for his appointment, term, duties, compensation and bond," ((approved March 13, 1909); 'repealing acts inconsistent herewith; and declaring an emergency.

H. B. NO. 358, BY JOHNSON, WOOD, HOLMBERG, SORENSON AND JACOBS.

An Act authorizing a tax levy of three-fifths (3-5) of a mill on the dollar per annum for Lewiston State Normal School purposes; directing the including of the amount thereof in the General Appropriation Bill, and authorizing a similar levy and appropriation until this Act is repealed; and requiring the Governor's approval of certain expenditures.

H. B. NO. 359, BY OAKES (SUBSTITUTE FOR H. B. NO. 265.)

An Act to amend Section 2784, as amended by an act approved February 20, 1909, and Section 2786, of the Revised Codes of Idaho, exempting fraternal temple associations, land and building associations and corporations owning mines, which are non-productive, from the payment of the annual license tax, prescribing the manner and time of paying the same, and providing penalty.

H. B. NO. 360, BY BALDRIDGE.

An Act regulating the amount of school funds that can be loaned on farm land.

H. B. NO. 361, BY TERRELL AND FEATHERSTONE.

An Act to amend Section 4900 of the Code of Civil Procedure, Revised Codes of Idaho, relating to parties entitled to costs; and providing a lien of attorneys for fees.

H. B. NO. 362, BY FEATHERSTONE ((BY REQUEST)

An Act amending Section 199 of the Revised Codes of Idaho, providing for the election of an Inspector of Mines for the State of Idaho; regulating the compensation of the said Inspector of Mines, and providing for traveling expenses, office expenses and clerical hire for the office of State Inspector of Mines.

H. B. NO. 363, BY THE JUDICIARY COMMITTEE

An Act to amend an act known as House Bill No 207, entitled "An Act relating to and authorizing the preparation of a reporter's transcript of proceedings on the trial of an action or special proceeding in lieu of a bill of exceptions; adding a new section, to be known as Section 4434, to Part 2, Title 8, Chapter 7, of the Code of Civil Procedure of the Revised Codes of Idaho," and repealing Section 3988 of the Revised Codes of Idaho relating to court reporters.

H. B. NO. 364, BY BRADFORD.

An Act to amend Sections 1731, 1733, 1737, 1738 and 1739 of the Revised Codes, making taxes payable in two equal installments, providing for the collection thereof, together with the penalties thereon, specifying the dates when each of such installments shall become delinquent; and repealing all Acts and parts of Acts in conflict with this Act.

H. B. No. 365, BY BRADFORD (BY REQUEST).

An Act to provide for the employment of penitentiary convicts in the construction, repair and maintenance of wagon roads when such roads are constructed, repaired or maintained, in whole or in part, with the financial aid of the State of Idaho.

H. B. No. 366, BY BRADFORD, CROW, CEASER AND WILSON.

An Act to annex a portion of the County of Canyon to the County of Ada; and to submit the question of the proposed annexation to a

vote of the qualifying electors within the territory to be annexed; and to apportion the debt of Canyon County between the Counties of Ada and Canyon; and to define the boundary of the County of Canyon; and to define the boundary of the County of Ada; and to make the territory annexed to Ada County a part of the Third Judicial District.

H. B. NO. 367, BY BRADFORD (BY REQUEST).

An Act to amend Chapter 3 of Part 2 of Title 2 of the Code of Civil Procedure of the Revised Codes of Idaho, relating to limitations of actions by adding thereto Section 4064, fixing limitations for the commencement of actions to foreclose mortgages.

H. B. NO. 368, BY BRADFORD (BY REQUEST).

An Act for the relief of the Estate of John W. Waker, a bankrupt.

H. B. NO. 369, BY BRADFORD (BY REQUEST).

An Act for the relief of the Coast Lumber Company.

H. B. NO. 370, BY JOHNSTON.

An Act levying and requiring the collection of a special ad valorem tax with which to pay the bonds and interest thereon authorized in Certain Acts of the Eleventh Session of the Legislature, and for the payment of all bonds and interest thereon which have heretofore been authorized by the State of Idaho as the same shall become due, except as provided in the Act authorizing the issuance of bonds for the erection and completion of the capitol building.

H. B. NO. 371, BY COMMITTEE ON STATE AFFAIRS.

An Act providing for the issuing, sale and redemption of State bonds and the expenditure of the proceeds thereof for the purpose of improving the Idaho Soldiers' Home.

H. B. NO. 372, BY SANBORN, JONES AND FARMIN.

An Act creating the Ninth Judicial District; providing for the appointment of a Judge thereof; providing for the fixing of the terms of court in said district, and relating to the causes, matters and proceedings pending in said district, and amending an Act entitled, "An Act creating the Eighth Judicial District; providing for the election of the Judge thereof; providing for the fixing of the terms of court of said district, and relating to the causes, matters of proceedings pending in said district and empowering the Judge of the First Judicial District to refix the terms of court in said district for the year 1909, and amending Section 26 of the Revised Codes of Idaho."

H. B. NO. 373, BY CROW (SUBSTITUTE FOR H. B. NO. 174.)

An Act to provide for the appropriation of five thousand dollars (\$5,000) for the completion, repair and maintenance of the Atlanta road in the Counties of Boise and Elmore; for the creation of the Atlanta Road Commission; describing its powers and duties; and for the requirement that an equal amount of money shall be raised for the completion, repair and maintenance of said road otherwise than by the State.

H. B. NO. 374, BY CROW.

An Act providing for the covering and protection of clothing and bedding to be transported over any railroad, boat or stage line within the State of Idaho; and providing a penalty for the violation thereof.

H. B. NO. 375, BY CROW.

An Act amending Section 31 of an Act entitled, "An Act to regulate, restrict, control and prohibit the sale and handling of intoxi-

cating liquors and to regulate the issuance of license therefor; to provide for the submission at special elections in the several counties of this State of the question whether the sale of intoxicating liquors as a beverage shall be prohibited therein; to provide for the petitioning for, calling and conducting of such elections and for the contest of the result thereof; to provide for the registration and qualification of voters at such elections; to provide for the termination of licenses for the sale of intoxicating liquors; to provide for and prescribe the terms and conditions on which intoxicating liquors may be sold for certain purposes, to define the meaning of the words 'intoxicating liquors;' to create prohibition districts and define the meaning thereof, to prohibit the employment of minors and women to sell intoxicating liquors as beverages, to declare the duties of peace officers and prosecuting attorneys in relation to the unlawful sales of intoxicating liquors; to fix penalties for the violation of this Act and prescribe the procedure in prosecutions; and to repeal all Acts conflicting herewith," approved February 20, 1909, relating to the definition of intoxicating liquors.

H. B. NO. 376, BY JAYNE (BY REQUEST).

An Act to amend Section 1194 of the Political Code of the State of Idaho requiring notice to be given by one getting the possession of stray sheep; and making the failure to give such notice prima facie evidence of guilt.

H. B. NO. 377, BY JAYNE AND NIHART.

An Act indemnifying owners of animals killed or destroyed according to law for being affected with the diseases known as glanders or tuberculosis.

H. B. NO. 378, BY JAYNE (BY REQUEST)

An Act to amend Section 7045 of the Idaho Revised Codes defining the offense of larceny.

H. B. NO. 379, BY HELLEKSON AND MORGAN.

An Act to repeal Article 6 of Title 8 of Chapter 4 of the Political Code of the State of Idaho, being Sections 1197, 1198, 1199, 1200, 1201, 1202, 1203 and 1204 of the Political Code of the Revised Codes of Idaho

H. B. NO. 380, BY HUTTON AND LEAF.

An Act providing for a lien upon all saw logs, spars, piles, cord wood and lumber for the amount of all supplies, groceries, feed or other necessities furnished to any contractor, boarding house keeper or other person, firm or corporation to be used upon or while such contractor, boarding house keeper or other person, firm or corporation or employer of such contractor, boarding house keeper or other person, firm or corporation is engaged in obtaining, securing, cutting or manufacturing saw logs, spars, piles, cord wood, ties, or lumber; providing for the time in which such lien may be filed for record; providing for the contents of the same and the manner in which it shall be recorded; providing the manner in which it may be foreclosed and also for any attorney's fee in the event of foreclosure.

H. B. NO. 381, BY NIHART.

An Act to amend Section 1530 of the Revised Codes of Idaho relating to peddlers' licenses.

H. B. NO. 382, BY DUNNING.

An Act appropriating thirty-five hundred twenty-one dollars (\$3521), the same being thirty-five cents (35c) per acre for ten thou-

sand sixty (10,060) acres of State Lands within the Gem Irrigation District, Owyhee County, Idaho, out of the Carey Act Trust Fund; and authorizing the State Board of Land Commissioners to expend the same toward paying the expenses of making the surveys, maps, etc., as required by Section 2396, Revised Codes of Idaho, preliminary to the calling of a bond election to authorize the issuing of bonds on lands within the boundaries of the Gem Irrigation District; and providing for the repayment of same; and declaring an emergency.

H. B. NO. 383, BY JAYNE AND DUNNING.

An Act to prohibit employer or employers from demanding, as a condition of employment, for employe or applicant for employment to sever his connection with any lawful organization or society; and to provide penalty for the violation thereof.

H. B. NO. 384, BY CROW.

An Act to provide for the appointment of a commissioner or commissioners in case of the failure of the board of directors, secretary or treasurer of any irrigation district to perform their duties in accordance with the law.

H. B. NO. 385, BY CROW.

An Act to provide for the irrigation of State lands on and adjacent to Carey Act projects and authorizing the State Land Board to make contracts for that purpose; and making an appropriation therefor; and relating to water rights on such lands.

H. B. NO. 386, BY DAVIS.

An Act to provide additional revenue for State purposes; and to levy a license on the gross earnings of express companies or corporations doing business in this State; defining the manner of ascertaining the amount of such earnings; providing a penalty for violating the provisions of this Act; and defining an express company within the meaning of this Act.

H. B. NO. 387, BY BLACK, DAVIS AND BALDRIDGE.

An Act appropriating fifteen thousand dollars (\$15,000), or so much thereof as may be necessary, to provide for the payment of the necessary expenses incurred by the Joint Investigating Committee of the Legislature in investigating charges against State officials and departments; and declaring an emergency whereby this Act shall take effect immediately on its approval.

H. B. NO. 388, BY BLACK (BY REQUEST).

An Act appropriating the sum of thirty-eight dollars and fifty cents (\$38.50) for the relief of W. T. Carter.

H. B. NO. 389, BY BLACK (BY REQUEST).

An Act appropriating the sum of forty-four dollars (\$44) for the relief of Mrs. F. M. Pettys.

H. B. NO. 390, BY BLACK (BY REQUEST).

An Act appropriating the sum of one hundred twenty-three dollars and fifty cents (\$123.50) for the relief of Mrs. A. L. George.

H. B. NO. 391, BY BLACK (BY REQUEST).

An Act appropriating the sum of one hundred ninety-one dollars and twenty-eight cents (\$191.28) for the relief of Grant, Smith, Henry and McPhee.

H. B. NO. 392, BY BELL, BLACK, BRADLEY, ECKLES, EDGINGTON, GALLOWAY, GIBSON, HELLEKSON, JENSON, JOHNSTON, NELSON AND THOMPSON.

An Act to provide for the payment of enlisted men of the National Guard of Idaho for services rendered during the years 1907 and 1908 while acting under the orders of the Governor; to provide the manner in which the names of all persons who are entitled to receive pay out of money appropriated by this Act shall be determined and the amount which each of said persons is entitled to receive; and declaring an emergency whereby this Act shall go into effect immediately upon its approval.

H. B. NO. 393, BY EDGINGTON (BY REQUEST).

An Act providing for the appointment of road overseers by the Boards of County Commissioners of the several counties; fixing the compensation and bond of such overseers; repealing Section 884 of the Revised Codes of Idaho and amending Section 885 of the Revised Codes of Idaho; giving power to the Boards of County Commissioners to purchase machinery and tools for the construction and improvement of the public highways within this State; repealing all Acts and parts of Acts inconsistent with this Act.

H. B. NO. 394, BY EDGINGTON (BY REQUEST).

An Act requiring that all road poll taxes be paid in money, and repealing all Acts and parts of Acts inconsistent herewith; and declaring an emergency.

H. B. NO. 395, BY EDGINGTON.

An Act to amend Section 2412 of the Revised Codes of Idaho, relating to the payment of water assessments

H. B. NO. 396, BY TAYLOR.

An Act authorizing a tax levy of one-half of a mill on the dollar per annum for Albion State Normal School purposes; directing the including of the amount thereof in the General Appropriation Bill, and authorizing a similar levy and appropriation until this Act is repealed, and requiring the Governor's approval of certain expenditures.

H. B. NO. 397, BY WALKER.

An Act to regulate the compensation of water masters of this State under certain conditions with reference to decreed water rights.

H. B. NO. 398, BY MORGAN.

An Act creating the Ninth Judicial District; providing for the appointment of a Judge thereof, providing for the fixing of the terms of court in said district and relating to the causes, actions, matters and proceedings within the counties comprising said district; amending an Act creating the Second Judicial District, and adding Clearwater County to said district, providing for the fixing of the terms of court in said Clearwater County for the year 1911, and relating to the causes, actions, matters and proceedings pending therein; and amending Section 26 of the Revised Codes of Idaho as amended by Senate Bill No. 152 of the Session Laws of 1909, at page 194.

H. B. NO. 399, BY JENSON.

An Act authorizing the various counties of the State of Idaho to record instruments, plats and maps by photographic process.

H. B. NO. 400, BY TERRELL (BY REQUEST).

An Act to amend Section 2115 of the Political Code of Idaho, relating to salaries and fees of county officers.

H. B. NO. 401, BY TERRELL.

An Act repealing an Act of the Legislature of the State of Idaho, approved March 11, 1909, entitled "An Act to provide for the indeterminate sentence of persons convicted of certain felonies, for the termination of such sentence and the release of such persons; creating a Prison Board and defining the duties thereof." Providing for the protection of the rights of all persons affected by the repeal of said above act; expressly reviving all acts and parts of acts heretofore repealed by said above act.

H. B. NO. 402, BY TERRELL (BY REQUEST).

An Act amending Sections 3011 and 3012 of the Civil Code of the State of Idaho relating to religious, social and benevolent corporations.

H. B. NO. 403, BY TERRELL (BY REQUEST).

An Act to amend Section 7681 of the Penal Code of the State of Idaho, providing that, when there are several charges of felony against any person or persons for the same act or transaction, they may be joined in one indictment or information under separate counts; providing, further, that, in cases of misdemeanor, separate charges for two or more acts or transactions connected together or of the same class of crimes or offenses may be joined in one indictment or information under separate counts.

H. B. NO. 404, BY TERRELL.

An Act to provide for the appointment of counsel for the defense of all persons charged with criminal offenses where it appears to the satisfaction of the Court that such person is without means with which to employ counsel; providing for the transcript and brief upon appeal in such cases; repealing Section 2086 of the Revised Codes of Idaho; and declaring an emergency.

H. B. NO. 405, BY CROW.

An Act to amend Section 4892 of the Code of Civil Procedure of the State of Idaho relating to the service of notices or papers upon a defendant who is in default.

H. B. NO. 406, BY BRADLEY (BY REQUEST).

An Act to govern, limit and restrict the employment of children under the ages of twelve and fourteen years; providing that employers must keep a record of minor employees; and prohibiting the employment of children under sixteen years of age in any injurious, dangerous or unhealthful or immoral occupation; and amending Sections 1466, 1468 and 1471 of the Political Code of the State of Idaho, or for public exhibitions and performances.

H. B. NO. 407, BY BRADLEY (BY REQUEST).

An Act providing for a County Detention School for children detained by the Probate Court.

H. B. NO. 408, BY BRADLEY (BY REQUEST).

An Act making it the duty of physicians or parents to report a case of venereal disease to the Probate Court if the afflicted person is under eighteen years of age.

H. B. NO. 409, BY BRADLEY (BY REQUEST).

An Act providing for employment certificates for children under eighteen years of age.

H. B. NO. 410, BY JACOBS.

An Act amending Section 1579, Revised Codes of Idaho, respecting sales of State land; and declaring an emergency.

Messages From the Governor.

The following messages were received from the Governor.

February 14, 1911.

Mr. Speaker and Gentlemen of the House of Representatives:

I have this day approved H. B. No. 55, by Smith. An Act to provide that doors in public assembly halls, theatres, churches, schools, etc., shall swing outward; and prescribing a penalty for violation thereof.

Respectfully,

JAMES H. HAWLEY,
Governor.

February 14, 1911.

Mr. Speaker and Gentlemen of the House of Representatives:

I have this day approved H. B. No. 126, by Bradley. An Act compelling the removal of blinds and screens in soft drink establishments, card rooms, pool or billiard halls; and providing penalties for the violation thereof.

Respectfully,

JAMES H. HAWLEY,
Governor.

February 14, 1911.

Mr. Speaker and Gentlemen of the House of Representatives:

I have this day approved H. B. No. 56, by Johnson. An Act to amend Section 3843 of the Revised Codes of Idaho.

Respectfully,

JAMES H. HAWLEY,
Governor.

February 14, 1911.

Mr. Speaker and Gentlemen of the House of Representatives:

I have this day approved H. B. No. 124, by Eckles. An Act empowering the Boards of County Commissioners of any of the several Counties of the State of Idaho to levy a special tax for the purpose of displaying the products and industries of any County in the State at domestic or foreign expositions, for the purpose of encouraging immigration and increasing trade in the products of the State.

Respectfully,

JAMES H. HAWLEY,
Governor.

February 14, 1911.

Mr. Speaker and Gentlemen of the House of Representatives:

I have this day approved H. B. No. 136, by Morgan. An Act to amend Section 1770 of the Revised Codes of Idaho.

Respectfully,

JAMES H. HAWLEY,
Governor.

February 14, 1911.

Mr. Speaker and Gentlemen of the House of Representatives:

I have this day approved H. B. No. 73, by Galloway. An Act to amend Section 2323 of Chapter 13, Title 13, of the Political Code of the Revised Codes of the State of Idaho, covering street improvement bonds and the application of the provisions of said Chapter 13; and declaring an emergency.

Respectfully,

JAMES H. HAWLEY,
Governor.

February 14, 1911.

Mr. Speaker and Gentlemen of the House of Representatives:

I have this day approved H. B. No. 139, by Featherstone. An Act to amend Section 2794 of the Revised Codes of Idaho, relating to the

issue of bonds and notes by railroad corporations and the executions of mortgages to secure the same, and declaring an emergency.

Respectfully,

JAMES H. HAWLEY,

Governor.

February 15, 1911.

Mr. Speaker and Gentlemen of the House of Representatives:

I have this day approved H. B. No. 4, by Ceaser. An Act to amend Section 6824 of the Penal Code of the State of Idaho.

Respectfully,

JAMES H. HAWLEY,

Governor.

February 15, 1911.

Mr. Speaker and Gentlemen of the House of Representatives:

I have this day approved H. B. No. 19, by Jacobs and Holmberg. An Act relating to dams and booms in the North Fork of the Clearwater River and in the tributaries thereof; and repealing all Acts or parts of Acts in conflict with any of the provisions of this Act.

Respectfully,

JAMES H. HAWLEY,

Governor.

Messages From the Senate.

The following message was received from the Senate:

Mr. Speaker:

I have the honor to inform you that the Senate has concurred in the House amendments to Senate Bills Nos. 8, 14 and 27, and that these bills, as so amended by the House, have passed the Senate.

CHARLES J. LISLE,

Assistant Secretary of Senate.

Mr. Speaker:

I have the honor to transmit herewith Senate Bills Nos. 29, 87, 91, 92, 108 and 131, which have passed the Senate.

CHARLES J. LISLE,

Assistant Secretary of Senate.

Report received, and Senate Bills Nos. 29, 87, 91, 92, 108 and 131 filed for first reading.

House returned to the Ninth Order of Business.

Motions and Resolutions.

Sanborn moved that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, and that House Joint Memorial No. 9 be read first and second times by title and sent to the Committee on Printing.

Seconded by Black.

The question was on the suspension of the rules, and the roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Elmers, Farmin, Featherstone, Friend, Galloway, Gibson, Hammer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jensen, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 58. Ayes, 58. Nays, none. Absent, not voting, 1.

An so the rules were suspended, and House Joint Memorial No. 9

was read a first and second time by title and referred to the Committee on Printing.

First Reading of House Bills, Concurrent Resolutions and Joint Memorials.

The following House Bills were read first time in full:

- H. B. No. 352, by Stephens, Eimers and Parker.
- H. B. No. 353, by Nihart.
- H. B. No. 354, by Terrell.
- H. B. No. 355, by Terrell, Hendricks and Hyde.
- H. B. No. 356, by Jacobs.
- H. B. No. 357, by Jacobs, Nihart, Jones, Leaf and Eckles.
- H. B. No. 358, by Johnson, Wood, Holmberg, Sorenson and Jacobs.
- H. B. No. 359 (Substitute for H. B. No. 265), by Oakes.
- H. B. No. 360, by Baldrige.
- H. B. No. 361, by Terrell and Featherstone.
- H. B. No. 362, by Featherstone (by request).
- H. B. No. 363, by Judiciary Committee.
- H. B. No. 364, by Bradford.
- H. B. No. 365, by Bradford (by request).
- H. B. No. 366, by Bradford, Crow, Ceaser and Wilson.
- H. B. No. 367, by Bradford (by request).
- H. B. No. 368, by Bradford (by request).
- H. B. No. 369, by Bradford (by request).
- H. B. No. 370, by Johnston
- H. B. No. 371, by State Affairs Committee.
- H. B. No. 372, by Sanborn, Jones and Farmin
- H. B. No. 373, by Crow.
- H. B. No. 374, by Crow.
- H. B. No. 375, by Crow.
- H. B. No. 376, by Jayne (by request).
- H. B. No. 377, by Jayne and Nihart.
- H. B. No. 378, by Jayne (by request).
- H. B. No. 379, by Hellekson and Morgan
- H. B. No. 380, by Hutton and Leaf.
- H. B. No. 381, by Nihart.
- H. B. No. 382, by Dunning.
- H. B. No. 383, by Jayne and Dunning.
- H. B. No. 384, by Crow.
- H. B. No. 385, by Crow.
- H. B. No. 386, by Davis.
- H. B. No. 387, by Black, Davis and Baldrige
- H. B. No. 388, by Black (by request).
- H. B. No. 389, by Black (by request).
- H. B. No. 390, by Black (by request).
- H. B. No. 391, by Black (by request.)
- H. B. No. 392, by Bell, Black, Bradley, Eckles, Edgington, Galloway, Gibson, Hellekson, Jenson, Johnston, Nelson and Thompson.
- H. B. No. 393, by Edgington (by request).
- H. B. No. 394, by Edgington (by request).
- H. B. No. 395, by Edgington.
- H. B. No. 396, by Taylor.
- H. B. No. 397, by Walker.
- H. B. No. 398, by Morgan.
- H. B. No. 399, by Jenson.
- H. B. No. 400, by Terrell (by request).
- H. B. No. 401, by Terrell.
- H. B. No. 402, by Terrell (by request).
- H. B. No. 403, by Terrell (by request).
- H. B. No. 404, by Terrell.
- H. B. No. 405, by Crow.

H. B. No. 406, by Bradley (by request).
H. B. No. 407, by Bradley (by request).
H. B. No. 408, by Bradley (by request).
H. B. No. 409, by Bradley (by request).
H. B. No. 410, by Jacobs (by request).
H. J. R. No. 20, by Bradford.
H. J. R. No. 21, by Judiciary Committee.
H. J. R. No. 22, by Judiciary Committee.
H. J. R. No. 23, by Friend and Arthur.
H. J. M. No. 9, by Sanborn.

House Bills Withdrawn.

Unanimous consent was given to the withdrawal of the following bills:

H. B. No. 273, by Nihart.
H. B. No. 193, by Smith.
H. B. No. 174, by Crow.
H. B. No. 96, by Smith.

First Reading of Printed Amendments to House Bills.

Printed amendments to the following House Bills were read first time in full:

H. B. No. 118.
H. B. No. 158.
H. B. No. 177.
H. B. No. 202.
H. B. No. 197.

Second Reading and Reference of House Bills, Concurrent Resolutions and Joint Memorials.

The following House Bills were read second time in full:

H. B. No. 347, by Jones.
H. B. No. 348, by Eckles (by request).
H. B. No. 349, by Bradley.
H. B. No. 350, by Hammer and Leaf.
H. B. No. 351, by Hammer, Leaf, Kerby and Wilson.
H. J. R. No. 17, by Johnson.
H. J. R. No. 18, by Johnson.
H. J. R. No. 19, by Johnson.

Reference of House Bills.

The Speaker referred the following House Bills to their respective committees:

H. B. No. 347, Judiciary.
H. B. No. 348, Judiciary.
H. B. No. 349, Revenue and Taxation.
H. B. No. 350, State Affairs.
H. B. No. 351, Education.
H. J. R. No. 17, Privileges and Elections.
H. J. R. No. 18, Privileges and Elections.
H. J. R. No. 19, Privileges and Elections.

Third Reading of House Bills, Concurrent Resolutions and Joint Memorials and Final Action Thereon.

HOUSE BILL NO. 41, BY JOHNSTON, WARNICK AND EDGINGTON, read a third time at length, section by section for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Han-

mer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Morgan, McCabe, Nelson, Nihart, Oakes, Parker, Pincock, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Walker.

Total number of votes, 54. Ayes, 53. Nays, 1. Absent, not voting, 5.

And so the bill passed, title was approved and House Bill No. 41 was ordered transmitted to the Senate.

HOUSE BILL NO. 119, BY HOLMBERG, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Baldrige, Bell, Berry, Black, Bower, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 53. Ayes, 53. Nays, none Absent, not voting, 6.

And so the bill passed, title was approved, and House Bill No. 119 ordered transmitted to the Senate.

HOUSE BILL NO. 112, BY SMITH, read a third time at length, section by section, for final action.

Morgan moved that House Bill No. 112 be referred to the Committee of the Whole for amendment

Seconded by Walker.

Carried.

HOUSE BILL NO. 108, BY FARMIN, read a third time at length, section by section, for final action.

Moved by Dunning, and seconded by Farmin, that House Bill No. 108 be made a special order for 2 p. m.

Motion carried.

House, by unanimous consent, returned to the Ninth Order of Business.

Motions and Resolutions.

Dunning moved that House Joint Memorial No. 7 be made a special order for Friday at 2 p. m.

Seconded by Johnston.

Motion carried.

Hellekson moved that House Joint Resolution No. 8 be made a special order for this afternoon to follow House Bill No. 108.

Seconded by Walker.

Johnston moved, as a substitute motion, that House Joint Resolution No. 8 be made a special order for 4 minutes after 12 o'clock.

Seconded by Davis.

Motion carried.

Special Order.

Speaker announced that the time having arrived, the consideration of House Joint Resolution No. 8 was in order.

Bradley moved a call of the House.

Seconded by Thompson.

Roll call showed all members present, except Arthur, Edgington, Eimers, Glennon, Jayne, Jenson, Nihart, Wilson.

Sergeant-at-Arms was instructed to bring the absent members in.

Kerby moved that further proceedings under the call of the House be dispensed with.

Seconded by McCabe.

Motion carried.

Johnston moved that the motion to make House Joint Resolution No. 8 a special order 4 minutes after 12 o'clock be reconsidered.

Seconded by Hanmer.

Motion carried.

Johnston then moved that House Joint Resolution No. 8 be made a special order after the vote on House Bill No. 108 this afternoon.

Seconded by Hellekson.

Motion carried.

On motion of Walker, House took a recess until 2 p. m.

Afternoon Session.

House met pursuant to adjournment. Mr. Speaker in the chair.

Roll call showed all members present, except Glennon, excused.

Special Order.

HOUSE BILL NO. 108, BY FARMIN, made a special order of this time, was taken up for final consideration.

HOUSE BILL NO. 108, BY FARMIN, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Edgington, Eimers, Farmin, Featherstone, Galloway, Hanmer, Jacobs, Johnson, Johnston, Jones, McCabe, Nielsen, Nihart, Oakes, Sanborn, Smith, Taylor, Warnick, Mr. Speaker.

Nays—Allred, Dunning, Eckles, Friend, Gibson, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jayne, Jenson, Kerby, Leaf, Morgan, Nelson, Parker, Pincock, Sorenson, Stephens, Strode, Terrell, Thompson, Wilson, Wood.

Total number of votes, 57. Ayes, 31. Nays, 26. Absent, not voting, 2.

And so the bill passed, title was approved, and House Bill No 108 was ordered transmitted to the Senate.

Special Order—H. J. R. No. 8.

HOUSE JOINT RESOLUTION NO. 8, BY BRADLEY, was taken up for final consideration, read a third time at length, section by section, for final action.

Hanmer moved the previous question.

Seconded by Bell.

Motion carried.

Morgan moved a call of the House.

Seconded by Hellekson.

Motion carried.

Roll call showed all members present, except Glennon, excused, and Walker.

Sergeant-at-Arms was ordered to bring Representative Walker in.

Moved by Davis, and seconded by Burrell, that call of the House be raised.

Motion lost.

Moved by Dunning, and seconded by Gibson, that call of the House be raised.

Motion lost.

Sergeant-at-Arms reported that he was unable to find the absent member. Speaker ordered him to continue the search.

Moved by Davis that all proceedings under the call of the House be dispensed with.

Seconded by Johnston

Motion lost

Hutton moved that the call of the House be raised

Seconded by Warnick.

Motion lost

Johnston moved that the call of the House be raised

Seconded by Hutton.

Motion lost

Sergeant-at-Arms reported that he was unable to find Representative Walker.

Johnston moved that all further proceedings under the call be dispensed with

Seconded by Davis

Motion carried.

Call raised

Morgan moved that further proceedings under special order be suspended, and that House Joint Resolution No. 8 be made a special order for 10 a. m. Thursday.

Seconded by Strode

Johnston moved as a substitute motion that vote on House Joint Resolution No. 8 be now taken

Seconded by Hellekson.

The question being "Shall the resolution pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldridge, Bell, Berry, Black, Bower, Bradley, Burrell, Crow, Davis, Eckles, Edgington, Eimers, Farmin, Galloway, Hellekson, Hendricks, Holmberg, Hyde, Jacobs, Johnston, Jones, Morgan, Nielsen, Nihart, Oakes, Pincock, Sanborn, Smith, Taylor, Terrell, Thompson, Warnick, Mr. Speaker.

Nays—Bradford, Ceaser, Dunning, Featherstone, Friend, Gibson, Hanmer, Hill, Hutton, Jayne, Jenson, Johnson, Kerby, Leaf, McCabe Nelson, Parker, Sorenson, Stephens, Strode, Wilson, Wood.

Total number of votes, 57 Ayes, 35. Nays, 22. Absent, not voting, 2.

And so House Joint Resolution No. 8, not having received the necessary two-thirds majority was declared lost.

Unanimous consent was given to return to the Tenth Order of Business.

Introduction of Bills, Concurrent Resolutions and Joint Memorials.

The following House Bills were introduced:

H. B. NO. 411, BY HELLEKSON, PINCOCK, SMITH, TAYLOR AND JACOBS.

An Act prohibiting sale of intoxicating liquors within prescribed limits of State educational institutions.

H. B. NO 412, BY TERRELL (BY REQUEST).

An Act making it a misdemeanor for any owner, or lessee, or any other person having control of any building or part of a building to suffer or permit a house of prostitution to be conducted or carried on therein; and providing a penalty for the violation of this Act.

H. B. NO 413, BY TERRELL.

An Act making a sworn statement of account prima facie evidence of the correctness of said account.

H. B. No 414, BY TERRELL (BY REQUEST).

An Act providing for the punishment of every person who is a lover of any common prostitute, or who lives off of the earnings of a fallen

woman or prostitute, or who profits therefrom; and prescribing the punishment therefor.

H. B. NO. 415, BY COMMITTEE ON ROADS, BRIDGES AND FERRIES.

An Act providing for a tax on automobiles and motorcycles, regulating the use, speed and equipment thereof; and providing for penalties for the violation of this Act.

H. B. NO. 416, BY HOLMBERG.

An Act to provide for the appropriation of three thousand dollars (\$3,000) for the construction and completion of the Whiskey Creek wagon road, in the County of Clearwater, State of Idaho, providing for the appointment of a commission; in relating to the manner in which such appropriation shall be expended.

H. B. NO. 417, BY HOLMBERG.

An Act providing for an attorney's fees in the event of suit commenced upon a claim for goods, wares and merchandise.

H. B. NO. 418, BY BRADFORD.

An Act to amend Section 5777 of the Revised Codes of Idaho so as to provide that guardians shall give bond in double the value of the personal property and income of the real estate of the estate of their wards.

H. B. NO. 419, BY DUNNING.

An Act appropriating the sum of twenty thousand dollars (\$20,000) out of the Carey Act Trust Fund in this State, and authorizing the State Board of Land Commissioners to expend the same for the reclamation of State lands within irrigation districts, and providing for the repayment of the same; and declaring an emergency.

H. B. NO. 420, BY ALLRED, NIELSEN AND WARNICK.

An Act to provide for the marking, stamping and branding of cans, bottles, casks, kegs, barrels, or other receptacles used in the handling and transportation of dairy products, ice cream, milk or cream, and the selection and adoption of such mark or brand; prohibiting any person, company or corporation from adopting or using any brand or mark which has been selected, designated or appropriated; making it unlawful for any person other than the rightful owner to use any can, bottle, cask, keg, barrel or other receptacles marked or branded as herein provided, or to deface or remove any such brand, mark, or stamp; making it a misdemeanor for any person or persons to violate any of the provisions of this Act; providing for a fine of not more than one hundred dollars (\$100), or imprisonment in the county jail, not exceeding thirty (30) days, or both such fine and imprisonment to be imposed on persons convicted of a violation thereof; and requiring the enforcement of such Act by the Dairy and Food Commission.

H. B. NO. 421, BY DAVIS.

An Act requiring the County Attorneys of the State of Idaho to record and file free of charge, all suits brought by the State of Idaho and the clear lists of land granted to the State by the United States; and requiring County Sheriffs to serve all papers in suits brought by the State of Idaho without charge; and declaring an emergency.

H. B. NO. 422, BY BRADLEY, THOMPSON, BALDRIDGE, NIHART, OAKES, BELL, JACOBS, BERRY, MORGAN, BOWER, TERRELL, HENDRICKS, BURRELL, SMITH, NIELSEN, ARTHUR, WARNICK, ALLRED, JAYNE, HILL AND HELLEKSON.

An Act to prohibit the manufacture and sale of spirituous, vinous,

malt and intoxicating liquors within the State of Idaho, and making exceptions in certain cases, providing when this Act shall become effective; and providing that violations of this Act shall be punished as provided by law for the unlawful sale of intoxicating liquors in prohibition territory.

H. B. NO. 423, BY NIHART (BY REQUEST).

An Act requiring Boards of Trustees of School Districts to let contracts for construction, addition, alteration or repair of school buildings to lowest responsible bidders

H. B. NO. 424, BY CROW.

An Act providing for the distribution of copies of the History of Idaho among the schools of the various school districts of the State of Idaho; authorizing the State Superintendent of Public Instruction to make such distribution at her discretion; and appropriating the sum of twelve hundred dollars (\$1,200) for the purchase and distribution of such books.

H. B. NO. 425, BY FEATHERSTONE.

An Act amending Section 2232 of the Revised Codes of Idaho; and making village clerk and justice of the peace ex-officio police judge.

H. B. NO. 426, BY OAKES (BY REQUEST).

An Act providing for the building or purchasing of armories by the State, and providing for an Armory Board and specifying the duties thereof; and making an appropriation therefor.

H. B. NO. 427, BY CEASER.

An Act to amend Section 2115 of the Revised Codes of Idaho relating to the allowance of the salaries of county officers.

H. B. NO. 428 (SUBSTITUTE FOR H. B. NO. 205), BY FARMIN, JONES AND SANBORN.

An Act amending Section 1931 of the Political Code of Idaho relating to the duties of County Commissioners with reference to the erection of court house and provision for offices

H. B. NO. 429, BY FISH AND GAME COMMITTEE.

An Act amending Sections 2, 5, 7, 8, 18, 19 and 20 of an Act entitled, "An Act to provide for the appointment of a Fish and Game Warden, assistants and deputy wardens; defining their duties and fixing their compensations; to provide a system of license for fishing and hunting and a system of permits for shipping game and fish; and defining the duties of certain officers as to such licenses and permits; also to provide for the preservation, protection and propagation of fish and game; to provide for the maintenance and operation of State fish hatcheries and distribution of fry to the various waters of the State of Idaho; to provide for superintendents and assistants for such hatcheries; to provide for private game and fish parks and ponds and the issuing of permits for the selling and transportation of certain fish; to provide penalties for the violation of this and to appropriate money to carry out the provisions of this Act; and to repeal previous legislation relating to the subject of fish and game," approved March 11, 1909; and adding thereto Section 27 declaring violations thereof to be misdemeanors unless a different punishment is prescribed.

H. B. NO. 430, BY HUTTON AND HOLMBERG.

An Act to provide that all goods, ware and merchandise for the State and for the several counties therein shall be purchased within

the State; and amending Sections 1474, 1475 and 1476 of the Idaho Revised Codes.

H. J. R. NO. 24, BY BRADFORD.

A Joint Resolution proposing that the Constitution of Idaho be amended by repealing Section 3 of Article 13 thereof.

H. J. R. NO. 25, BY BRADFORD.

A Joint Resolution proposing the amendment of Section 6 of Article 18 of the Constitution of Idaho relating to county officers.

First Reading of House Bills, Concurrent Resolutions and Joint Memorials.

First Reading of House Bills, Concurrent Resolutions and Joint Memorials.

The following Bills were read first time in full:

H. B. No. 411, by Hellekson, Pincock, Smith, Taylor and Jacobs.

H. B. No. 412, by Terrell (by request).

H. B. No. 413, by Terrell.

H. B. No. 414, by Terrell (by request).

H. B. No. 415, by Committee on Roads, Bridges and Ferries

H. B. No. 416, by Holmberg.

H. B. No. 417, by Holmberg.

H. B. No. 418, by Bradford.

H. B. No. 419, by Dunning.

H. B. No. 4120, by Allred, Nielsen and Warnick.

H. B. No. 421, by Davis

H. B. No. 422, by Bradley, Thompson, Baldridge, Nihart, Oakes, Bell, Jacobs, Berry, Morgan, Bower, Terrell, Hendricks, Burrell, Smith, Nielsen, Arthur, Warnick, Allred, Jayne, Hill and Hellekson.

H. B. No. 423, by Nihart (by request).

H. B. No. 424, by Crow.

H. B. No. 425, by Featherstone

H. B. No. 426, by Oakes (by request).

H. B. No. 427, by Ceaser.

H. B. No. 428, substitute for H. B. No. 205, by Farmin, Jones and Sanborn.

H. B. No. 429, by Fish and Game Committee.

H. B. No. 430, by Hutton and Holmberg.

H. J. R. No. 24, by Bradford.

H. J. R. No. 25, by Bradford.

The Committee on Engrossed and Enrolled Bills submitted the following report:

Mr. Speaker:

We, your Committee on Engrossed and Enrolled Bills, report House Bills Nos. 251, 302, 238 and 258, 150, 181 correctly engrossed.

BOWER,

Acting Chairman.

Moved by Bradley that House adjourn until 9 a. m. Thursday.

Seconded by Hanmer.

Motion carried.

House adjourned.

CHARLES D. STOREY,

Speaker.

JAMES H. WALLIS,

Chief Clerk.

THURSDAY, FORTY-SIXTH DAY, FEBRUARY 16, 1911.

Morning Session.

Hall of the House of Representatives,

Boise, Idaho, February 16, 1911.

House met pursuant to adjournment. Mr. Speaker in the Chair.

Prayer was offered by the Chaplain.

Roll call showed all members present, except Glennon, who was excused.

Unanimous consent was given Bell to have Senate Bill No. 18 returned from the Senate and recommitted to the Committee on Appropriations.

Reports of Standing Committees.

The Committee on Printing submitted the following report:

Mr. Speaker:

Your Committee on Printing herewith report that we have had correctly printed and distributed the following: House Bill No. 289.

And the following have been read by copy, corrected and sent to the printer: House Bills Nos. 352, 353, 354, 355, 356, 358, 359, 360, 361, 362, 363, 364, 365, 367, 368, 369, 370, 371, 373, 374, 375, 376, 377, 378, 379, 381, 382, 383, 384 and 385, House Joint Memorial No. 9, House Joint Resolutions Nos. 20, 21, 22 and 23.

Also report that we have had correctly printed and distributed the following: House Bills Nos. 233, 297, 303, 311, 312, 314, 315, 316, 320, 322, 323, 324, 325, 326, 328, 329, 330, 331, 332, 333, 334, 336 and 342, extra copies of House Bill No. 219, amendments to House Bills Nos. 118, 158, 177, 202 and 197, House Joint Resolution No. 16, House Joint Memorial No. 8.

The following have been read by copy, corrected and sent to the printer: House Bills Nos. 347, 348, 349, 350 and 351, House Joint Resolutions Nos. 17, 18 and 19

JONES,
Chairman.

Report received.

The Committee on Charitable and Penal Institutions submitted the following report:

Mr. Speaker:

Your Committee on Charitable and Penal Institutions, having had under consideration House Bill No. 333, by Galloway, hereby renders its report as follows. That the bill do pass.

WILSON,
Chairman.

Report accepted, and House Bill No. 333 referred to Engrossing Committee and ordered engrossed.

The Committee on Live Stock submitted the following report:

Majority Report.

Mr. Speaker:

We, your Committee on Live Stock, respectfully report that we have had under consideration Senate Bills Nos. 4, 78 and 88, and recommend that the same do pass.

ARTHUR,
Chairman.
SORENSEN,
ALLRED,
WALKER

Minority Report.

Mr. Speaker:

We, your Committee on Live Stock, respectfully report that we have had under consideration Senate Bill No. 88, and beg to recommend that it do not pass.

Reports received.

The following messages were received from the Senate:

H. B. No. 359, by Oakes (substitute for H. B. No. 265).

I desire also to submit the following minority report, recommending that Senate Bill No. 78 do not pass, for the following reasons:

1. That the sportsmen, or a one-fourth majority of the people in

the county living in the city, could, by petition, levy tribute on the entire county for their own pleasure, thereby making the farmers buy their shells and ammunition.

2. That to pay a family on gophers and squirrels of any amounts, would, in my opinion, bankrupt any county in the State.

3. That Section 1205 of the Revised Codes provides that the County Commissioners must levy a tax of three-fourths of a mill on all horses, cattle, goats, mules or asses and swine, and three mills on sheep; which money shall go into the predatory animal fund.

4. That there is no provision for repealing Section 1205 of the Code.

5. That the Sanitary Board will and has always appointed de-footers in the various counties when appealed to do so, and when the applicant was willing to do the work.

SANBORN.

SANBORN.

Report received.

Messages From the Senate.

The following message was received from the Senate:

Mr. Speaker:

I have the honor to inform you that the Senate has passed Senate Bill No. 28, as amended by the House, concurring in House amendments.

CHARLES J. LISLE,

Assistant Secretary of Senate.

Mr. Speaker:

I have the honor to transmit herewith House Bills Nos. 137, 199, 200, 207, 208, 210, 211, and Senate Concurrent Resolution No. 6, which have passed the Senate.

CHARLES J. LISLE,

Assistant Secretary of Senate.

Mr. Speaker:

I have the honor to transmit herewith House Joint Memorial No. 6, also Senate Bills Nos. 103, 76, 82, 85, 94, 122 and 125, which have passed, the Senate.

CHARLES J. LISLE,

Assistant Secretary of Senate.

Second Reading and Reference of House Bills, Concurrent Resolutions and Joint Memorials.

The following House Bills were read second time in full.

H. B. No. 152 by Stephens, Eimers and Parker

H. B. No. 153 by Nihart

H. B. No. 154 by Terrell the request

H. B. No. 155 by Terrell Hendricks and H. B.

H. B. No. 156 by Jacobs the request

H. B. No. 157 by Jacobs Nihart Jones and H. B. No.

H. B. No. 158 by Johnson Wood H. B. No. 159 by Johnson and H. B. No.

H. B. No. 159 by Johnson and H. B. No. 160 by Johnson and H. B. No.

H. B. No. 160 by Johnson and H. B. No. 161 by Johnson and H. B. No.

H. B. No. 161 by Johnson and H. B. No. 162 by Johnson and H. B. No.

H. B. No. 162 by Johnson and H. B. No. 163 by Johnson and H. B. No.

H. B. No. 163 by Johnson and H. B. No. 164 by Johnson and H. B. No.

H. B. No. 164 by Johnson and H. B. No. 165 by Johnson and H. B. No.

H. B. No. 165 by Johnson and H. B. No. 166 by Johnson and H. B. No.

H. B. No. 166 by Johnson and H. B. No. 167 by Johnson and H. B. No.

H. B. No. 167 by Johnson and H. B. No. 168 by Johnson and H. B. No.

H. B. No. 168 by Johnson and H. B. No. 169 by Johnson and H. B. No.

H. B. No. 169 by Johnson and H. B. No. 170 by Johnson and H. B. No.

H. B. No. 170 by Johnson and H. B. No. 171 by Johnson and H. B. No.

H. B. No. 171 by Johnson and H. B. No. 172 by Johnson and H. B. No.

H. B. No. 172 by Johnson and H. B. No. 173 by Johnson and H. B. No.

H. B. No. 173 by Johnson and H. B. No. 174 by Johnson and H. B. No.

H. B. No. 174 by Johnson and H. B. No. 175 by Johnson and H. B. No.

H. B. No. 175 by Johnson and H. B. No. 176 by Johnson and H. B. No.

H. B. No. 176 by Johnson and H. B. No. 177 by Johnson and H. B. No.

H. B. No. 177 by Johnson and H. B. No. 178 by Johnson and H. B. No.

H. B. No. 371, by Committee on State Affairs.
H. B. No. 372, by Sanborn, Jones and Farmin.
H. B. No. 373, by Crow (substitute for H. B. No. 174).
H. B. No. 374, by Crow.
H. B. No. 375, by Crow.
H. B. No. 376, by Jayne (by request).
H. B. No. 377, by Jayne and Nihart.
H. B. No. 378, by Jayne (by request).
H. B. No. 379, by Hellekson and Morgan.
H. B. No. 380, by Hutton and Leaf.
H. B. No. 381, by Nihart.
H. B. No. 382, by Dunning.
H. B. No. 383, by Jayne and Dunning.
H. B. No. 384, by Crow.
H. B. No. 385, by Crow.
H. B. No. 386, by Davis.
H. B. No. 387, by Black, Davis and Baldrige.
H. B. No. 388, by Black (by request).
H. B. No. 389, by Black (by request).
H. B. No. 390, by Black (by request).
H. B. No. 391, by Black (by request).
H. B. No. 392, by Bell, Black, Bradley, Eckles, Edgington, Gallo-
way, Gibson, Hellekson, Jenson, Johnston, Nelson and Thompson.
H. B. No. 393, by Edgington (by request).
H. B. No. 394, by Edgington (by request).
H. B. No. 395, by Edgington.
H. B. No. 396, by Taylor.
H. B. No. 397, by Walker.
H. B. No. 398, by Morgan.
H. B. No. 399, by Jenson.
H. B. No. 400, by Terrell (by request).
H. B. No. 401, by Terrell.
H. B. No. 402, by Terrell (by request).
H. B. No. 403, by Terrell (by request).
H. B. No. 404, by Terrell.
H. B. No. 405, by Crow.
H. B. No. 406, by Bradley (by request).
H. B. No. 407, by Bradley (by request).
H. B. No. 408, by Bradley (by request).
H. B. No. 409, by Bradley (by request).
H. B. No. 410, by Jenson.
H. B. No. 411, by Hellekson, Johnston, Nelson, Smith, Taylor and Thompson.
H. B. No. 412, by Terrell (by request).
H. B. No. 413, by Terrell.
H. B. No. 414, by Terrell (by request).
H. B. No. 415, by Committee on Roads, Bridges, Harbors and Piers.
H. B. No. 416, by Terrell.
H. B. No. 417, by Terrell.
H. B. No. 418, by Terrell.
H. B. No. 419, by Terrell.
H. B. No. 420, by Terrell.

H. B. No. 428, by Farmin, Jones and Sanborn (substitute for H. B. No. 205).

H. B. No. 429, by Committee on Fish and Game.

H. B. No. 430, by Hutton and Holmberg.

H. J. M. No. 9, by Sanborn.

H. J. R. No. 20, by Bradford.

H. J. R. No. 21, by Judiciary Committee.

H. J. R. No. 22, by Judiciary Committee.

H. J. R. No. 23, by Friend and Arthur.

H. J. R. No. 24, by Bradford.

H. J. R. No. 25, by Bradford.

Reference of House Bills.

The Speaker referred the following House Bills to their respective committees:

H. B. No. 352, Roads, Bridges and Ferries.

H. B. No. 353, State Affairs.

H. B. No. 354, Cities, Towns and Other Municipal Corporations.

H. B. No. 355, Appropriations.

H. B. No. 356, Judiciary.

H. B. No. 358, Appropriations.

H. B. No. 359, Private Corporations.

H. B. No. 360, State Affairs.

H. B. No. 364, Revenue and Taxation.

H. B. No. 365, Charitable and Penal Institutions.

H. B. No. 367, State Affairs.

H. B. No. 368, Appropriations.

H. B. No. 369, Appropriations.

H. B. No. 370, Appropriations.

H. B. No. 371, Appropriations.

H. B. No. 372, Judiciary.

H. B. No. 373, Appropriations.

H. B. No. 374, Railroads, Carriers and Other Public Corporations.

H. B. No. 375, Privileges and Elections.

H. B. No. 376, Live Stock.

H. B. No. 377, Live Stock.

H. B. No. 378, Judiciary.

H. B. No. 379, Judiciary.

H. B. No. 381, Revenue and Taxation.

H. B. No. 382, Appropriations.

H. B. No. 383, Judiciary.

H. B. No. 384, Irrigation, Reservoirs and Reclamation.

H. B. No. 385, Irrigation, Reservoirs and Reclamation.

H. B. No. 386, Judiciary.

H. B. No. 387, Appropriations.

H. B. No. 388, Appropriations.

H. B. No. 389, Appropriations.

H. B. No. 390, Appropriations.

H. B. No. 391, Appropriations.

H. B. No. 392, Military and Indian Affairs.

H. B. No. 393, State Affairs.

H. B. No. 394, State Affairs.

H. B. No. 395, Irrigation, Reservoirs and Reclamation.

H. B. No. 396, Appropriations.

H. B. No. 397, Irrigation, Reservoirs and Reclamation.

H. B. No. 399, State Affairs.

H. B. No. 406, Privileges and Elections.

H. B. No. 407, Privileges and Elections.

H. B. No. 408, Privileges and Elections.

H. B. No. 409, Privileges and Elections.

H. J. M. No. 9, Federal Relations and Memorials to Congress.

H. J. M. No. 23, Judiciary.

H. J. M. No. 22, Judiciary.

H. J. M. No. 21, Judiciary.

H. J. M. No. 20, Judiciary.

Second Reading of Printed Amendments to House Bills.

Printed amendments to the following House Bills were read second time in full:

H. B. No. 118.

H. B. No. 158.

H. B. No. 177.

H. B. No. 202.

H. B. No. 197.

Printed amendments with original bills were referred to Engrossing Committee and ordered engrossed.

Moved by Davis and seconded by Farmin that House go into Committee of the Whole for the consideration of the General Calendar.

Motion carried.

House In Committee of the Whole.

House resolved itself into Committee of the Whole for the consideration of the General Calendar. Baldrige in the Chair.

House in Regular Session.

Consideration of report of Committee of Whole was postponed until 2 p. m.

Message From the Governor.

The following message was received from the Governor

Mr. Speaker and Gentlemen of the House of Representatives:

On the 13th day of February, 1911, I received House Bill No. 35, by Mr. Arthur.

"An Act regulating pool halls, billiard halls, pool rooms, or other places operated for profit in which pool, billiards, or games of cards are played by the general public; providing for the closing thereof during certain hours; and prescribing a penalty."

The bill in question as its main object makes it unlawful for any person under the age of nineteen years to play billiards, pool or games of cards in a commercial billiard hall or other places where pool, billiards or games of cards are played by the general public. It is unfortunate that in some places in this State billiard halls are operated in conjunction with saloons and similar resorts and the odium attached to the business run in connection with the billiard hall attaches in some degree to the billiard hall itself. In most of the large cities of the country billiard halls are run separate and distinct from the saloon or the soft drink business and are resorted to for the purpose of playing billiards and pool and with no other object or purpose. To my mind, a place of amusement of this kind is legitimate and proper, and when properly kept, no harm can attach to young men even under the age of nineteen by reason of their engaging in games of billiards carried on in such resorts. Under the provisions of this law a man is not privileged to take his son under nineteen to a billiard hall and engage with him in this innocent amusement. Not only does he, but the proprietor of the premises and his employees, become guilty of a criminal act by so doing. I can not conceive of any good reason for the enactment of this bill as a part of our statutes. I understand that billiard rooms and pool halls are kept in some places in this State as adjuncts to saloons and soft drink resorts. I can conceive how it is possible for billiard rooms so conducted to become objectionable and have a bad effect on young men

congregating therein. I do not, however, conceive it is in the interests of public morality to prevent our youth indulging in innocent recreation simply because the place where such recreation is carried on is kept in some places in an improper manner. Billiard rooms and pool halls can not well exist except in centers of population, and such centers of population are under the control of the municipal authorities, and, under the laws of Idaho, the several municipalities of the State can regulate and control them. It is better, in my judgment, to relegate matters of this kind to the municipal authorities for their action and control than it is by a general statute to make unlawful a business which, when properly conducted, is conducive to morality instead of fostering immorality, simply because in some places such business has been improperly and illegitimately carried on. I do not believe it proper governmental policy for the Legislature to enact laws of this kind where the several municipalities of the State have ample authority to regulate and control. Conditions vary greatly in the different communities of the State, and such being the case, it is to the best interests of all to permit the fullest control on the part of the municipal authorities of this and similar matters.

In this bill the time for closing such resorts is also fixed. I would willingly consent to such a provision becoming a law, although it might properly be relegated also to the municipal authorities. It is out of my power, however, to segregate the proper provisions of the Act in question from those that I deem inadvisable to enact, and, while I would like to approve an Act closing all resorts of this kind at the hour of midnight throughout the State, I can not consent to these meritorious provisions of the bill in question becoming a law without the obnoxious features also taking effect. I would suggest that in the event my objections to the bill in question are not overruled by the Legislature, the enactment of a statute closing all places of amusement throughout the State at the hour of midnight or some other hour to be fixed by the Legislature.

Boise, Idaho, February 16, 1911.

Respectfully submitted,

(Signed)

JAMES, H. HAWLEY,
Governor.

Moved by Johnston, and seconded by McCabe, that House adjourn until 2 p. m.

Motion carried.

House adjourned.

Afternoon Session.

House met pursuant to adjournment. Mr. Speaker in the Chair.
Roll call showed all members present, except Glennon, excused.

Unfinished Business.

Consideration of the Governor's message on H. B. No 35 being in order at this time, House proceeded to reconsider H. B. No. 35.

Davis moved that this bill, together with the Governor's message regarding the same, be referred to the Judiciary Committee, and that that committee report in not less than two days.

Seconded by Farmin.

Moved by Johnston as a substitute motion that the bill do lie on the table until tomorrow morning.

Seconded by Kerby.

Motion carried.

Report of the Committee of the Whole.

The Committee of the Whole submitted the following report:

Mr. Speaker:

The Committee of the Whole, having had under consideration the

General Calendar, makes the following recommendations

That House Bill No 156, by Davis and Bell, be amended as follows:

That the title be amended by inserting after the word "Repealing" in line 3, on page 2, the following: "Senate Bill No. 75, approved March 13, 1909, entitled An Act to provide for the enrollment, organization, management and control of the National Guard of Idaho, etc., and all other."

In section 11, line 10, insert the words and figures "fifteen hundred (1500)" in place of the words and figures "twelve hundred (1200)."

That section 12 be amended by changing the period at the end of said section to a semicolon, and adding thereafter the following: "Provided: That the provisions of this section shall apply to the officer now on duty as Adjutant General."

That section 15 be amended by changing the period at the end of the section to a semicolon and adding the following: "Provided, that when staff officers, except officers of the Medical Corps, are relieved from duty as such they shall be placed on a reserve list and also on the eligible list, provided for in section 22 of this Act, for election to any company office; and provided further: That whenever a vacancy occurs in any company office, any staff officer on the reserve list shall be eligible to election to such vacancy in case he resides within such distance of the armory or headquarters of such company that he will be able to perform the duties of the office to which he may be elected. Such staff officers shall hold rank from the date of their first commission."

That section 17 be amended by adding at the end of said section the following: "He shall also have authority, under the direction of the Commander-in-Chief, to employ such labor and clerical assistance as may from time to time become necessary."

That section 22 be changed to read as follows:

Section 22. "All members of any of the units of the National Guard of the state who shall have served at least one year in the army of the United States or in the National Guard of this state or some other state, or who shall have attended some school or college where military instruction is had, shall be eligible to enter, on examination to determine their fitness for commissioned rank. Provided: That such examination shall be held under such rules as shall be prescribed by the Commander-in-Chief, and shall consist of a thorough examination of the mental, moral and physical qualifications of the candidate. All persons who shall satisfactorily pass such an examination shall have their names placed upon a roster to be kept by the Adjutant General. Whenever any office is to be filled by an election under the provisions of this Act, the Adjutant General shall furnish the officer conducting such election with a list of all the members of the command and reserve list who are eligible to election, and from such list the qualified electors shall choose by ballot some person to fill the vacancy existing, and it shall require a majority of the qualified electors to make such election; should there be no choice nor no quorum present, the presiding officer shall adjourn the meeting to a time not to exceed fifteen (15) days, and at such adjourned meeting conduct another election. If such meeting results in no choice, the Commander-in-Chief shall be notified, and may thereupon fill the vacancy by appointment from the list of eligible persons; such officer so appointed shall have all the rights and privileges conferred by this Act upon an officer otherwise elected or appointed."

That section 28 be amended by adding in the first line after the word "person," "who has not served as a commissioned officer in the National Guard of this or any other state."

That in section 35, in line 2, change the words and figures "ten (10)" to "five (5)," and in the third line change the words and figures "fifteen (15)" to "ten (10)," and at the end of said section 35 there be added the following: "Enlisted men, after six years, service, or if disabled for active duty while in service, may, upon their own application, and after due examination in the case of disability, be transferred to a retired list of enlisted men to be kept in the office of the Adjutant General, and shall retain their rank at the time of transfer and be entitled to wear the uniform on all occasions of ceremony."

In Section 37, strike out the words "during the unexpired portion of his commission" in lines 3 and 4, and substitute therefor the following: "for one year."

In Section 39 change the word "thirty" and the figure "(30)" to "fifty (50)" in lines 3 and 4.

Strike out all of Section 56, and make the same to read as follows:

"Each company shall receive quarterly the further sum of one hundred twenty-five dollars (\$125) for necessary military expenses, including rent of armory. In addition thereto, the County Commissioners of each county may, in their discretion, expend annually not to exceed one hundred fifty dollars (\$150) out of the county current expense fund for repairs or rent of armory building or other necessary expenditures for military purposes."

In Section 59, strike out all of said section down to and including the words "per day," in line 19, and substitute the following in lieu thereof:

Section 59. "While on camp or field duty and in going to and returning therefrom, the members of the National Guard of Idaho shall receive the following compensation per diem during the first twenty (20) days of service. Enlisted men shall receive the pay prescribed for their grade in the United States army and in addition thereto each shall receive the sum of one dollar (\$1.00) per day, and in addition thereto, each enlisted man shall be entitled to one ration per day while on duty. Commissioned officers shall receive the pay prescribed for their grade in the United States army. When ordered into actual service in aid of the civil authorities, the forces so called into service for the first twenty (20) days, the same pay and rations as provided herein for camp and field duty, and thereafter they shall receive the same pay and rations as troops in the service of the United States. All members of the Staff of the Commander-in-Chief shall be entitled to and receive their actual traveling and hotel expenses when acting under the orders of the Commander-in-Chief, whether within or without the State, and such expenses shall be paid out of the appropriation provided for in this Act. All allowance and pay provided by this Act for officers or enlisted men, except for per diem and mileage while traveling under orders without troops, shall be subject to be applied to the payment of penalties and fines imposed by military courts and to the payment of any shortage of or injury to State or United States property or funds, for which such officers or enlisted men are accountable."

That Section 66 be amended by inserting after the word "for" and before the word "breach" the words "treason, felony or" in line 2 thereof.

That Section 67 be amended by striking out the last sentence of said section and substituting the following: "The pensions hereinbefore provided for shall be paid out of the appropriations carried in this Act."

That Section 74 be amended by striking out all of said section and substituting the following:

Section 74. "Summary courts martial of enlisted men belonging

to any regiment shall be ordered by the regimental commander, and for the trial of enlisted men of a separate battalion, by the battalion commander, and in each case shall consist of a field officer or captain in such regiment or battalion. Provided, that when a company is not in active service summary courts martial of enlisted men belonging to the company shall be ordered by the company commander and in each case shall consist of a commissioned officer in such company. Reports of all trials by summary courts shall be made to the Adjutant General at such times and in such form as he may direct."

That Section 86 be amended by inserting after the word "State," in line 3, the following: "to be placed to the credit of the military fund."

That Section 99 be amended by inserting the word "unlawfully" before the word "knowingly" in line 1 thereof.

That Section 102 be stricken out and made to read as follows:

Section 102. "Senate Bill No. 75, approved March 13, 1909, entitled, 'An Act to provide for the enrollment, organization, management and control of the National Guard of Idaho, and the Idaho Reserve Militia, prescribing the number and rank of officers and defining their duties; providing compensation for the men and officers while on duty; fixing rates of pay to be allowed; prescribing duties and powers of heads of departments; providing for a State Military Board; conferring and defining the board's powers; providing a continuing appropriation; repealing all Acts and parts of Acts in conflict with the provisions of this Act; and declaring an emergency,' is hereby expressly repealed, and all other Acts and parts of Acts in conflict with this Act are hereby annulled and repealed."

That House Bill No. 278, by Johnston, be amended as follows:

In line 3, Section 3, strike out the words and figures "seventy (70)" and insert the words and figures "seven (7)" in lieu thereof, and that the bill as so amended do pass.

That House Bill No. 213, by the Committee on Public Health, be amended as follows:

In Section 5, line 7, strike out the word "provide" and all the following subject matter to division 2. In section 5, division 7, strike out the word "enethyl" and insert the word "methyl" In Section 6, line 14, strike out the comma between "cannabis" and "indica." In Section 6, line 28, strike out the words "contains a," and in line 29 "proprietary or patent medicine or a proprietary patent food if it." In Section 6, line 12, change the word "quality" to "quantity." In Section 6, line 31, strike out the comma between the words "cannabis" and "indica." In Section 6, line 32, insert "or" before "acetanilid" and strike out the words "or arsenic." Amend line 4, Section 4, by placing the word "the" before the word "curing," and a comma after the word "curing." In Section 3, strike out all of lines 24, 25 and 26. In Section 11, lines 4 and 5, strike out the words "unless other standards are prescribed by the State Board of Health." In Section 7, line 4, strike out the words "designating it," and insert in lieu thereof the words "or the National Food and Drug Act of June 30, 1906."

And that as so amended the bill do pass.

BALDRIDGE,
Chairman.

Baldrige moved the adoption of the report.

Seconded by Jones.

Motion carried.

Message From the Governor.

The following message was received from the Governor:
To the Senate and House of Representatives, Mr. Speaker and Members of the House of Representatives:

There are several matters of particular importance, in my estimation, to the people of the State, and to which I deem it my duty to direct your attention and ask you to consider, although it is somewhat late in the session and your time is greatly occupied with other matters.

In my message delivered to you on January 3d, 1911, I called your particular attention to the financial condition of the State and think it my duty to further communicate with you upon this important subject. That our revenue laws need revision can not hardly be questioned. I suggested to you in the message mentioned the advisability of authorizing the appointment of a revenue law commission and again call your attention to the matter if you have not already come to an unfavorable conclusion upon the subject.

Undoubtedly the assessment roll of the State will be greatly increased in the near future. Under a proper system of assessment the taxable property within the State would amount to at least \$500,000,000. Our Constitution, Section 1, Article 8, limits the bonding power of the State to one and one-half per cent of the assessed valuation. If our assessments were made in compliance with the law, a bonded indebtedness could be incurred by the State, excluding the Territorial indebtedness and Capitol Building Bonds of \$7,500,000. Future Legislatures may be urged to increase our bonded debt to the full amount. This would make the situation almost unbearable. Until our revenues are increased from other sources, practically all of the expense of the State will come from direct taxation, and the question of interest upon our bonded debt will cut an important figure.

The bonded indebtedness at the commencement of this year, according to the books of the State Auditor, is now \$1,246,544. Our total assessment roll for 1910 was \$127,154,975 46. We would then increase our bonded indebtedness in the sum of \$444,311 12. Bills have already been passed by the Legislature at this session, and placed in my hands for approval, increasing this bonded indebtedness to the extent of \$75,000, and undoubtedly a further increase in a large amount will be had before the Legislature adjourns.

For numerous betterments of various State institutions, a considerable amount of money must be had that will necessarily be raised by new bond issues. To bond the State to the extent that it would be made and detrimental in various ways in the future as at the present and in the past we must report at each session of the Legislature demands for internal improvements and let our State institutions stand only to the extent that can be appropriated. Experience has shown that the extreme limit will always be reached appropriated by each succeeding Legislature. We will then either have to continue violating the law in regard to appropriation of property at its full value and each a liability on the State by creating a great encumbrance and a heavy tax rate, or else to raise qualified with such an enormous debt load, that the future generation cannot be provided for. Our object and purpose should be to arrange our State institutions so to provide for the future satisfaction in view of this attempt to limit the future welfare of the State. I would refer the suggestion in my former message that the future should be so arranged as to gradually limit the bonded indebtedness of the State outside of the Capitol Building Bonds and Territorial indebtedness to \$1,000,000 and providing further in such amendment that at some given time say ten or fifteen years there should be a decrease of \$100,000 a year in the amount of this bonded

should be taken, is the matter of providing for a silver service for the battleship Idaho. The State was honored several years ago when one of the largest battleships of the Nation was christened with its name. Every other State, honored in the same way, has made provision for such service, although some of the ships so named have been built since the "Idaho." An effort has been unsuccessfully made to raise the requisite amount to purchase such service, through the school children of the State. I believe our people will be willing to pay the cost of such service, and the presentation of it to the ship named after our State will put us in line with other States in these matters and avoid the unfavorable criticism certain to follow our neglect to do so.

Another matter worthy of your consideration is a change in the time of holding the biennial session of the Legislature. The Constitution, Section 8, Article 3, fixes the time of meeting on the first Monday after the first day of January, "unless a different day should have been appointed by law." This proviso makes it possible for the Legislature, by proper enactment, to change the date of commencement of the session. Under the system as it now prevails, the Legislature commences its session on the very day the State officers commence their duties. All, both executive officers of the State and members of the Legislature, are generally comparatively strangers as regards the duties of their respective offices. If a later date for commencing the Legislature was fixed by law, the Governor and other State officers could familiarize themselves to a great extent with their duties, could digest and become familiar with the annual reports of their predecessors, could become acquainted with business of the various governing boards of the State, could familiarize themselves with the workings and necessities of the various State institutions and thus be able to intelligently advise the Legislature in regard to needed legislation and necessary appropriations. I suggest the enactment of a statute fixing the date of commencement of the biennial sessions of the Legislature on the first Monday of February, unless some later date would seemingly better meet the exigencies to which I call your attention.

Respectfully,

(Signed)

JAMES H. HAWLEY,

Governor.

Given February 16th, 1911

Moved to AM and seconded by Walker that the message from the Governor be referred to the Committee on State Affairs.
Motion carried.

Report of Standing Committees.

The Committee on Irrigation, Reclamation and Development submit the following report:

We have considered the report of the Reclamation Service and have to report as follows:

We recommended that House Bills Nos. 100, 101 and 102 do pass.
Also that House Bill No. 103 be referred to Committee on Agriculture.

REPORT

Report received and Read February 16th, 1911 and 102 referred to Engineering Committee and ordered engrossed.

The Committee on Privileges and Elections submitted the follow-

Mr. Speaker,

We, your Committee on Privileges and Elections respectfully report

that we have under consideration Senate Bill No. 320, and recommend that it be laid on the table, for the reason that the provisions of same are covered by House Bill No. 319.

BRADLEY,
Chairman.

Moved by Bradley, seconded by Baldrige, that the report be adopted.

Motion carried.

Mr. Speaker:

We, your Committee on Privileges and Elections, respectfully report that we have had under consideration House Bill No. 319 and recommend that it do pass.

BRADLEY,
Chairman.

Report adopted and House Bill No. 319 referred to Engrossing Committee and ordered engrossed.

The Committee on Printing submitted the following report:

Mr. Speaker:

Your Committee on Printing herewith report that we have had correctly printed and distributed the following: House Bills Nos. 318, 319, 335, 345, 347, 348, 349, 350 and 351.

House Joint Resolutions Nos. 17 and 18.

And the following have been read by copy, corrected and sent to the printer:

House Bills Nos. 372, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 399, 406, 407, 408 and 409.

JONES,
Chairman.

The Committee on State Library submitted the following report:

Mr. Speaker:

We, your Committee on State Library, having conferred with the Supreme Judges and also having inspected the Supreme Court Library in the Capitol Building, beg leave to report the following:

We find the library in the Capitol Building to be in good order. The books are well and neatly arranged, so far as the available space will permit. The room is kept clean and tidy, but it is very much congested.

Minnie Priest Dunton has served as librarian for the last six years and has given very efficient service and we recommend that the State retain her in its service.

The rules of the library provide that the librarian must keep the library open every day, except non-judicial days, from 9 o'clock a. m. until 12 M. and from 1 p. m. until 5 p. m. and during the session of the Legislature and Supreme Court, from 7 p. m. until 9 p. m.; provided, during sessions of the Supreme Court when the Legislature is not in session, the library may be closed at 7:45 p. m. when there is no one in the library desiring to use the same. This makes the duties of the librarian very exacting and confining and we recommend that her salary be raised from \$1,200 per year to \$1,500, in order that she, if she so desire, may hire such assistance as is necessary. Furthermore, that she be given a two weeks' vacation every year.

The State carries \$40,000 insurance on the library and we find that policies to the extent of about \$300 premiums will lapse during the coming two years.

We find that the extension of the library, so far as books are concerned, is provided for by attorney and justices' fees and that this is adequate for the present need.

The members of the Legislature will, undoubtedly, have observed that there is no adequate catalogue of the library. The librarian

has, with great care and labor, prepared a new and complete catalogue for publication, and the cost of printing and binding same with paper cover will be approximately \$525 for 500 copies. There is a great demand among the attorneys of the State for such a catalogue, and it would add greatly to the efficiency of the library. We therefore respectfully recommend that an appropriation be made for the printing of the same and that when the catalogue is printed that it be left to the Librarian to sell the same at twenty-five cents per copy and the proceeds from the sale thereof be turned over to the State Treasurer.

In accordance with the above report we recommend the following appropriations:

Salary for Librarian (two years)	\$2,000 00
Insurance	300 00
For printing catalogues	500 00
	\$2,800 00

As respecting the Supreme Court Library at Lewiston, we find upon consultation with Justice Aleshie, that there is a fairly good working library, but that it is short the reports of decisions of several State courts and reports of decisions of some lower and smaller courts in other States.

We regard it of the utmost importance that these be procured and recommend an appropriation of \$3,000 for the purchase of same with such book cases and other possible appurtenances as may be necessary.

We find that the Librarian is receiving \$75.00 per month, and that for that salary he is performing the duties of Deputy Clerk and Janitor. We respectfully recommend that this salary be raised to \$100.00 per month in order that he may hire such additional help as he may find necessary and desire.

We recommend the following appropriation for the library at Lewiston:

Telephone, \$3.00 per month	\$ 72 00
Light, about \$6.00 per month	150 00
Coal	300 00
Incidental expenditures by way of repairs and other unexpected matter, including insurance on the library and building	500 00
For purchase of books, furnishings and improvements	3,000 00
Salary of Clerk, Librarian and Janitor, \$100.00 per month	2,400 00
	\$ 6,422 00

Total.

For State library in capitol building	\$ 3,800 00
For Supreme Court library at Lewiston	6,422 00

\$10,222 00

BERRY,

Chairman.

Moved by Berry that the State Library Committee report be accepted, and that the report be referred to the Committee on Appropriations.

Seconded by Hellekson.

Motion carried.

Davis moved that when we adjourn it be until 7:30 this evening.

Motion withdrawn.

House Bills Withdrawn

Unanimous consent was given Edgington to withdraw House Bills Nos. 93 and 304.

By unanimous consent House returned to the Tenth Order of Business.

Introduction of Bills, Concurrent Resolutions and Joint Memorials

With the unanimous consent of the House the following bill were introduced.

H. B. NO. 431 BY KIRBY

An Act relating to the liability of masters in case of personal injuries to servants in their employ.

H. J. R. NO. 26 BY THART

A joint resolution that three persons be selected by the Governor to constitute a Board of Investigation to inquire into the subject of wages paid to and conditions of employment suffering women and children employed in shops, laundries, factories and stores within the State.

First Reading of House Bills, Concurrent Resolutions and Joint Memorials.

The following House Bills were read the first time in 1911:

H. B. No. 401 by Kirby

H. B. No. 402 by Kirby

House Bill No. 403 by Kirby, to amend an act to provide for the appointment of a Board of Investigation to inquire into the subject of wages paid to and conditions of employment suffering women and children employed in shops, laundries, factories and stores within the State.

House Bill No. 404 by Kirby, to amend an act to provide for the appointment of a Board of Investigation to inquire into the subject of wages paid to and conditions of employment suffering women and children employed in shops, laundries, factories and stores within the State.

Message From the Senate.

The following message was received from the Senate:
Mr. Speaker

I have the honor to transmit herewith House Bills Nos. 41, 142, 186, 141 and House Joint Resolution No. 14 which have passed the Senate.

CHAS. J. LISLE,

Assistant Secretary of Senate.

Message received, and House Bills Nos. 41, 142, 186, 141, and House Joint Resolution No. 14 ordered enrolled.

Message From the Senate.

The following message was received from the Senate:
Mr. Speaker

I have the honor to transmit herewith Senate Bill No. 151, which has passed the Senate.

CHARLES J. LISLE,

Assistant Secretary of Senate.

Message received and Senate Bill No. 151 filed for first reading.

Third Reading of House Bills, Concurrent Resolutions and Joint Memorials and Final Action Thereon.

HOUSE BILL NO. 171, BY COMMITTEE ON PUBLIC HEALTH. On motion was recommitted to Committee on Public Health.

HOUSE BILL NO. 192, BY SORENSON, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result.

Ayes—Alfred Arthur Baldrige Bell Berry Bower, Bradley, Dunning, Eckles, Elmers, Farmin, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnston, Leaf, Morgan, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Walker, Warnick, Wood, Mr Speaker

Nays—Black, Bradford, Ceaser, Davis, Featherstone, Friend, Gibson, Hammer, Johnson, Jones, Kerby, McCabe, Sanborn, Thompson
Total number of votes 53 Ayes 39 Nays 14 Absent, not voting 6

And so the bill passed, title was approved and House Bill No. 192 was ordered transmitted to the Senate

HOUSE BILL NO. 121, BY FARMIN, read a third time at length section by section for final action

The question being "Shall the bill pass?" roll was called with the

Ayes—Alfred Arthur Baldrige Bell Berry Black Bower, Bradford, Ceaser, Davis, Elmers, Eckles, Edgington, Elmers, Farmin, Featherstone, Friend, Gibson, Hammer, Hellekson, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Walker, Warnick, Wood, Mr Speaker

Nays—None
Total number of votes 54 Ayes 54 Nays 0 Absent, not voting 0
And so the bill passed, title was approved and House Bill No. 121 was ordered transmitted to the Senate

HOUSE BILL NO. 264, BY SENNETT, read a third time at length, section by section for final action

The question being "Shall the bill pass?" roll was called with the following result

Ayes—Alfred Baldrige Bell, Berry Bower, Bradley, Burrell, Ceaser, Davis, Dunning, Eckles, Edgington, Elmers, Farmin, Featherstone, Friend, Galloway, Gibson, Hammer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wood, Mr Speaker

Nays—Arthur, Nielsen.

Total number of votes, 54. Ayes, 52. Nays, 2. Absent, not voting, 0.

And so the bill passed, title was approved, and House Bill No. 264 was ordered transmitted to the Senate.

Moved by Strode, and seconded by Jacobs, that House Bill No. 320 be taken from the table.

Motion carried.

Moved by Bradley that House Bill No. 320 be referred back to the Committee on Privileges and Elections for amendments

Seconded by Hellekson.

Motion carried.

HOUSE BILL NO. 279, BY DUNNING (BY REQUEST), read a third time at length, section by section, for final action.

Moved by Davis, and seconded by Arthur, that House Bill No. 279 be referred to the Committee on State Affairs

Motion carried.

HOUSE BILL NO. 94, BY JENSON, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldridge, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Gibson, Hanmer, Hellekson, Hendricks, Hill, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Warnick, Wood, Mr Speaker

Nays—None

Total number of votes, 50. Ayes, 50 Nays, none Absent, not voting, 9

And so the bill passed, title was approved, and House Bill No. 94 was ordered transmitted to the Senate.

HOUSE BILL NO 241, BY HUTTON, read a third time at length, section by section, for final action

Moved by Black and seconded by Thompson that House Bill No 241 be referred to the General Calendar

Motion lost.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Baldridge, Bell, Berry, Bower, Bradford, Bradley, Ceaser, Dunning, Eckles, Edgington, Eimers, Featherstone, Galloway, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jenson, Johnson, Jones, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Sorenson, Stephens, Strode, Taylor, Walker, Warnick, Wood, Mr. Speaker.

Nays—Arthur, Black, Friend, Gibson, Jayne, Kerby, Terrell, Thompson

Total number of votes, 51 Ayes, 43 Nays, 8 Absent, not voting, 8

And so the bill passed, title was approved and House Bill No. 241 was ordered transmitted to the Senate.

HOUSE BILL NO. 98, BY GLENNON, read a third time at length, section by section, for final action.

Galloway moved that House Bill No 98 be referred to the Judiciary Committee.

Seconded by Thompson.

Motion carried.

HOUSE BILL NO. 242, BY JOHNSTON AND DAVIS, read a third time at length, section by section for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Arthur, Baldridge, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Dunning, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hyde, Johnston, Jones, Kerby, Nielsen, Oakes, Parker, Pincock, Smith, Sorenson, Taylor, Terrell, Warnick, Mr. Speaker.

Nays—Eckles, Eimers, Friend, Gibson, Hutton, Jacobs, Jayne, Johnson, Leaf, Morgan, McCabe, Nelson, Nihart, Sanborn, Stephens, Strode, Thompson, Walker, Wood.

Total number of votes, 48. Ayes, 29. Nays, 19. Absent, not voting, 11.

And so the Bill passed, title was approved, and House Bill No. 242 was ordered transmitted to the Senate.

HOUSE BILL NO. 246, BY DAVIS (BY REQUEST), read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Arthur, Berry, Bradford, Burrell, Ceaser, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Hanmer, Hendricks, Hill, Hyde, Jacobs, Johnson, Johnston, Morgan, Nielsen, Parker, Smith, Sorenson, Taylor, Warnick, Mr. Speaker.

Nays—Baldridge, Black, Bower, Bradley, Friend, Gibson, Hellekson, Holmberg, Hutton, Jayne, Jones, McCabe, Nelson, Nihart, Oakes, Pincock, Sanborn, Stephens, Strode, Thompson, Walker, Wood.

Total number of votes, 49 Ayes, 27. Nays, 22. Absent, not voting, 10.

And so the Bill passed, title was approved and House Bill No. 246 was ordered transmitted to the Senate.

HOUSE BILL NO 231, BY GLENNON AND SORENSON, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result

Ayes—Arthur, Baldridge, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Dunning, Eckles, Eimers, Featherstone, Friend, Gibson, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Johnson, Jones, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wood, Mr Speaker

Nays—None

Total number of votes, 46. Ayes, 46 Nays, none. Absent, not voting, 13.

And so the bill passed, title was approved, and House Bill No. 231 was ordered transmitted to the Senate

House returned to Seventh Order of Business.

Reports of Standing Committees.

The Committee on Privileges and Elections submitted the following report.

Mr. Speaker

We, your Committee on Privileges and Elections, respectfully report that we have had under consideration House Bill No. 320, and recommend that it be amended as follows: Strike out of line 1 of the title the words "the sale of intoxicating liquors," and insert in lieu thereof the following "places where intoxicating liquors are sold"

BRADLEY,
Chairman.

Report adopted.

Bradley moved that all rules of the House interfering with the immediate passage of amendments to House Bill No. 320 be suspended, that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that amendments to House Bill No. 320 be read the first and second times by title and be sent to the Printing Committee.

Seconded by Oakes.

The question being, "Shall the rules of the House be suspended?" roll was called with the following result.

Ayes—Arthur, Baldridge, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Eimers, Farmin, Friend, Gibson, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Johnson, Jones, Kerby, Leaf, Morgan, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 43. Ayes, 43. Nays, none. Absent, not voting, 16.

And so the motion carried, and amendments to House Bill No. 320 were read first and second time in full and referred to Committee on Printing.

Third Reading of House Bills, Concurrent Resolutions and Joint Memorials and Final Action Thereon.

HOUSE BILL NO. 285, BY DAVIS, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" the roll was called with the following result:

Ayes—Arthur, Baldridge, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Dunning, Eckles, Elmers, Featherstone, Friend, Galloway, Gibson, Hellekson, Hendricks, Hill, Holmberg, Hyde, Jacobs, Jayne, Johnson, Jones, Kerby, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 43. Ayes, 43. Nays, none. Absent, not voting, 16.

And so the bill passed, title was approved, and House Bill No. 285 ordered transmitted to the Senate.

HOUSE BILL NO. 198, BY BALDRIDGE, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Arthur, Baldridge, Bell, Berry, Black, Bower, Bradley, Burrell, Ceaser, Dunning, Eckles, Elmers, Farmin, Featherstone, Friend, Gibson, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Johnson, Jones, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 45. Ayes, 45. Nays, none. Absent, not voting, 14.

And so the Bill passed, title was approved, and House Bill No. 198 ordered transmitted to the Senate.

Unanimous consent was given Dunning to return to the Ninth Order of Business.

Motions and Resolutions.

Dunning moved that all House Joint Resolutions now awaiting action by the House of Representatives be made a special order for 2 o'clock p. m., Tuesday, February 21st.

Seconded by Nihart.

Motion carried.

Moved by Kerby that the House adjourn until 9 a. m. Friday.

Seconded by Hellekson.

Motion carried.

House adjourned.

CHARLES D. STOREY,
Speaker.

JAMES H. WALLIS,
Chief Clerk.

FRIDAY, FORTY-SEVENTH DAY, FEBRUARY 17, 1911.

Morning Session.

Hall of House of Representatives,
Boise, Idaho, February 17, 1911.

House met pursuant to adjournment. Mr. Speaker in the Chair.
Prayer was offered by the Chaplain.

Roll call showed all members present except Glennon who was excused.

Journals for the forty-fifth and forty-sixth days were read.

The Committee on Journal submitted the following report:

Mr. Speaker:

We, your Committee on Journal, beg to report that we have had under consideration the Journals for the forty-fifth and forty-sixth days, and have corrected the same, and move that the Journals, as corrected, be approved.

WARNICK,
Chairman.

Report adopted and Journals for forty-fifth and forty-sixth days approved.

Unfinished Business.

House Bill No. 35, laid on the table until this morning, came up as unfinished business, the question being, "Shall the bill pass over the Governor's veto?"

Roll was called on the passage of the bill with the following result:

Ayes—Allred, Arthur, Baldrige, Bradley, Edgington, Galloway, Hellekson, Hendricks, Jayne, Jones, Nielsen, Smith, Taylor, Thompson, Warnick.

Nays—Bell, Berry, Black, Bower, Bradford, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Eimers, Farmin, Featherstone, Friend, Gibson, Hill, Holmberg, Hutton, Hyde, Jacobs, Johnson, Johnston, Kerby, Leaf, Morgan, McCabe, Nelson, Nihart, Parker, Pincock, Sanborn, Sorenson, Stephens, Strode, Walker, Wilson, Wood, Mr. Speaker.

Total number of votes, 54. Ayes, 15. Nays, 39. Absent, not voting, 5.

And so the necessary two-thirds of the members not having voted in the affirmative, the bill was declared lost.

Communications and Petitions.

Morgan presented the following petition from the citizens of Moscow.

Whereas, Citizens of Lewiston have petitioned the Legislature of the State of Idaho, asking that Lewiston be annexed to Latah County, and

Whereas, This will make the City of Lewiston a suburb of Moscow, therefore, for the following reason, we, citizens of Moscow, do humbly protest, object and remonstrate:

First. That it would increase the cost of local government without any accruing benefits

Second. That Moscow has no ambition to engage in the business of a reformatory, and would not invite a situation that would compel the necessity of administering due punishment to refractory mayors, obstreperous councilmen, negligent policemen and an indifferent public.

Third. Latah County is all right as she is; Moscow needs no "fixing" and Lewiston has nothing that we need. We don't believe in the theory that any tail should wag the dog, and we know from long acquaintance that the proposed annexed tail would insist on reversing the natural order of things. Moscow and Latah County would prefer to be a bob-tailed canine, as inconvenient as this may be in fly time, rather than submit to an alliance with Miss Lewiston. *

For these and other reasons, which need not here be mentioned, we pray the Legislature of the State of Idaho may send the proposed

measure to the place that from time immemorial has been in dispute with all religious men.

(Signed.)

H. MELGARD,
S. L. WILLIS,
W. F. ZUMHAF,
G. G. PICKETT,
G. H. SANDERS,
W. J. HUNTER,
WM. E. LEE,
FRED VEATCH,
S. R. H. MCGOWAN,
GEO. CREIGHTON,
D. W. HANNAH,
J. W. LIEUALLLEN,
G. H. CUSHING,
J. W. BLACKER,
E. E. OSTROAL,
Q. A. MEEKERY,
CHARLES WITHERSPOON,
GEO. W. GRINER,
STAR-MIRROR, BY GORT,
F. S. SCOTT,
R. H. BARTON,
F. E. MIX.

Reports of Standing Committees.

The Committee on Printing submitted the following report:

Mr. Speaker:

Your Committee on Printing herewith report that we have had correctly printed and distributed the following: House Joint Memorial No. 9, and the following have been read by copy, corrected and sent to the printer:

House Bills Nos. 398, 400, 401, 402, 403, 404, 405, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428 and 431.

House Joint Resolutions Nos. 24, 25 and 26.

JONES,
Chairman.

Report received.

The Committee on Engrossed and Enrolled Bills submitted the following report:

Mr. Speaker:

We, your Committee on Engrossed and Enrolled Bills, beg leave to report House Bills Nos. 158, 118, 336, 202, 177, 149, 128, 303, 304, 326, 330, 301, 283 and 245 correctly engrossed.

BOWER,
Acting Chairman.

Report received and House Bills Nos. 158, 118, 336, 202, 177, 149, 128, 303, 304, 326, 330, 301, 283 and 245 filed for third reading.

The Committee on Private Corporations submitted the following report:

Mr. Speaker:

We, your Committee on Private Corporations having had under consideration House Bill No. 312, by McCabe, by request, recommend that it do not pass; also House Bill No. 325, by Ceaser et al., and recommend that it do pass. Also House Bill No. 324, by Ceaser et al., and recommend that it do pass. Also House Bill No. 232, by Black, and recommend that it do not pass owing to the fact that the pro-

posed amendment therein contained is contained also in House Bill No. 265, by Oakes.

BRADFORD,
Chairman.

Report adopted and House Bills Nos 324 and 325 referred to Engrossing Committee and ordered engrossed.

The Committee on Engrossed and Enrolled Bills submitted the following report:

Mr. Speaker:

We, your Committee on Engrossed and Enrolled Bills, beg leave to report House Bills Nos. 197, 333, 341 and 342 correctly engrossed.

BOWER,
Acting Chairman

Report received and House Bills Nos. 197, 333, 341 and 342 filed for third reading.

The Committee on Revenue and Taxation submitted the following report:

Mr. Speaker:

We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 322, report the same back to the House and recommend that it be referred to Committee on Appropriations.

FARMIN,
Chairman.

Report accepted and House Bill No. 322 referred to Committee on Appropriations.

The Committee on Fish and Game submitted the following report:

Mr. Speaker:

We, your Committee on Fish and Game, having had under consideration House Bill No 195, beg leave to report it back to the House without recommendation.

FARMIN,
Chairman.

Report received

The Committee on Engrossed and Enrolled Bills submitted the following report.

Mr. Speaker:

We, your Committee on Engrossed and Enrolled Bills, report House Joint Memorial No. 6, House Bills Nos 199, 200, 137, 208, 211 correctly enrolled.

BOWER,
Acting Chairman.

Report received.

The Committee on Agriculture and Horticulture submitted the following report:

Mr. Speaker.

We, your Committee on Agriculture and Horticulture, have had under advisement House Bill No. 284. There being a great many changes, it was deemed advisable by the committee to submit a substitute bill which is submitted herewith.

SMITH,
Chairman.

Report adopted.

Second Reading and Reference of House Bills, Concurrent Resolutions and Joint Memorials.

The following bills were read second time in full:

H. B. No. 431, by Kerby.

H. J. R. No. 26, by Nihart.

Reference of House Bills.

The Speaker referred the following bills to their respective committees:

- H. B. No. 361, Judiciary.
- H. B. No. 362, State Affairs.
- H. B. No. 363, Judiciary.
- H. B. No. 398, Judiciary.
- H. B. No. 400, Judiciary.
- H. B. No. 401, Charitable and Penal Institutions.
- H. B. No. 402, Private Corporations.
- H. B. No. 403, Judiciary.
- H. B. No. 404, Judiciary.
- H. B. No. 405, Judiciary.
- H. B. No. 410, State Affairs.
- H. B. No. 414, Privileges and Elections.
- H. B. No. 411, Privileges and Elections.
- H. B. No. 412, Privileges and Elections.
- H. B. No. 413, Judiciary.
- H. B. No. 415, Revenue and Taxation.
- H. B. No. 416, Roads, Bridges and Ferries.
- H. B. No. 417, Judiciary.
- H. B. No. 418, Judiciary.
- H. B. No. 419, Appropriations.
- H. B. No. 420, Public Health.
- H. B. No. 421, Judiciary.
- H. B. No. 422, Privileges and Elections.
- H. B. No. 423, Education.
- H. Bill No. 424, Education.
- H. B. No. 425, Judiciary.
- H. B. No. 426, Military and Indian Affairs.
- H. B. No. 427, State Affairs.
- H. B. No. 428, State Affairs.
- H. B. No. 430, State Affairs.
- H. B. No. 431, Judiciary.
- H. J. R. No. 24, Judiciary.
- H. J. R. No. 25, Judiciary.
- H. J. R. No. 26, Judiciary.

By unanimous consent House returned to the Ninth Order of Business.

Motions and Resolutions.

Sanborn moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that House Joint Memorial No. 9 be read the second time by title and third time at length, section by section, and put upon its final passage.

Seconded by Allred.

The question being on the suspension of the rules the roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Elmers, Farmin, Featherstone, Friend, Galloway, Hammer, Hefferson, Hendricks, Holmberg, Hutton, Hyde, Jacobs, Jayne, Johnston, Jones, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Paddock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrill, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 53. Ayes, 53. Nays, none. Absent, not voting, 6.

And so the rules were suspended.

House Joint Memorial No. 9, by Sanborn, read second time by title and third time at length, section by section for final action.

The question being "Shall the Memorial Pass?" the roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Elmers, Farmin, Friend, Galloway, Hanmer, Hellekson, Hendricks, Holmberg, Hutton, Hyde, Jacobs, Jayne, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 52. Ayes, 52. Nays, none. Absent, not voting, 7.

And so the memorial passed, title was approved, and House Joint Memorial No. 9 was transmitted to the Senate.

Third Reading of House Bills, Joint Resolutions and Joint Memorials and Final Action Thereon.

HOUSE BILL NO. 185, BY COMMITTEE ON PUBLIC HEALTH, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Elmers, Farmin, Featherstone, Friend, Galloway, Gibson, Hanmer, Hellekson, Hendricks, Holmberg, Hutton, Hyde, Jacobs, Jones, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Pincock, Sanborn, Smith, Sorenson, Stephens, Taylor, Terrell, Thompson, Walker, Warnick, Mr. Speaker.

Nays—None.

Total number of votes, 46. Ayes, 46. Nays, none. Absent, not voting, 13.

And so the bill passed, title was approved, and House Bill No. 185 ordered transmitted to the Senate.

Galloway rose to a question of personal privilege to say that he had been misrepresented in the public prints of Boise.

HOUSE BILL NO. 229, BY TERRELL, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Berry, Bower, Bradford, Bradley, Burrell, Ceaser, Davis, Edgington, Elmers, Featherstone, Friend, Galloway, Gibson, Hendricks, Hyde, Jacobs, Johnson, Johnston, Kerby, Nelson, Nihart, Oakes, Parker, Pincock, Taylor, Terrell, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Bell, Black, Dunning, Hellekson, Hill, Holmberg, Hutton, Jayne, Jones, Leaf, Morgan, Sanborn, Sorenson, Stephens, Strode, Thompson, Walker.

Total number of votes, 49. Ayes, 32. Nays, 17. Absent, not voting, 10.

And so the bill passed, title was approved and House Bill No. 229 was ordered transmitted to the Senate.

Messages From the Governor.

The following messages from the Governor were received and read:

Boise, Idaho, February 17, 1911.

Mr. Speaker and Members of the House of Representatives:

I have this day approved House Bill No. 111, by Smith. An Act providing for the making of final proof on Carey Act land entries in case of the death of the entrymen, and providing that such entries may be devised or shall descend as other real estate.

Respectfully,

JAMES H. HAWLEY,
Governor.

Boise, Idaho, February 17, 1911.

Mr. Speaker and Members of the House of Representatives:

I have this day approved House Bill No. 236, by Terrell, Morgan, Glennon and Crow. An Act to provide for and authorize the payment of the expenses of the Judges of the District Court of the State of Idaho.

Respectfully,

JAMES H. HAWLEY,
Governor.

HOUSE BILL NO. 143, BY JOHNSON, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldridge, Bell, Berry, Black, Bower, Bradford, Bradley, Ceaser, Davis, Dunning, Edgington, Elmers, Farmin, Featherstone, Friend, Galloway, Gibson, Hammer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jensen, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 55. Ayes, 55. Nays, none. Absent, not voting, 4.

And so the bill passed, title was approved, and House Bill No. 143 was transmitted to the Senate.

HOUSE BILL NO. 201, BY CEASER (BY REQUEST), read a third time at length, section by section, for final action.

Moved by Jones and seconded by Farmin that House Bill No. 201 be referred to the Committee on Appropriations.

Motion carried.

HOUSE BILL NO. 150, BY NIHART, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Baldridge, Bell, Berry, Black, Bower, Bradford, Bradley, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Elmers, Farmin, Featherstone, Friend, Galloway, Gibson, Hammer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jensen, Johnson, Johnston, Jones, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Walker.

Total number of votes, 54. Ayes, 53. Nays, 1. Absent, not voting, 5.

And so the bill passed, title was approved, and House Bill No. 150 was ordered transmitted to the Senate.

HOUSE BILL NO. 181, BY OAKES, read a third time at length, section by section, for final action.

Moved by Johnston and seconded by Oakes that House Bill No. 181 be referred to the Committee of the Whole.

Motion carried.

Message From the Governor.

The following message was received from the Governor and read. Mr. Speaker and Gentlemen of the House of Representatives:

I hereby return, without my approval, House Bill No. 87, by Mr. Hammer:

"An Act amending Section 2659 of the Revised Codes of Idaho, relating to the time of residence in Idaho prerequisite to the commencement of an action for divorce."

It is with many regrets that I signify my disapproval of this bill. The section of the statute referred to is sought to be amended to read as follows:

"A divorce must not be granted unless the plaintiff has been a bona fide resident of the State of Idaho for one year and of the county in which the action is brought for three months next preceding the commencement of the action."

In my biennial message I called your attention to the apparent necessity of so amending our divorce laws as to compel a residence of one year within the State on the part of the plaintiff before an action for a divorce could be commenced. The bill under consideration not only agrees with my ideas in this regard but extends it so as to include as a prerequisite to the commencement of a suit a three months' residence in the county. This provision absolutely meets with my approval, also because under it a person seeking a divorce can not, as he is now permitted to do, commence an action in a distant county and thus prevent that publicity which should attach to proceedings of this kind, so far at least as public knowledge of the commencement of the action is concerned. I disapprove this bill then, not because I disagree with the objects apparently sought to be attained, but because under its provisions pending actions in our courts will, in my judgment, be interfered with in some cases and a positive injustice is liable thus to be worked upon litigants in many instances. The bill in question provides that a divorce shall not be granted unless the plaintiff has been a bona fide resident of the State for one year and county for three months next preceding the commencement of this action. There is no exception made so far as pending suits are concerned. As I construe the law, a suit for divorce might have been instituted a year ago and still be pending before the courts and if the plaintiff in such action had not been a resident of the State one year and of the county three months at the time the suit was commenced the decree could not be granted, although, as a matter of fact, at the time of granting the decree the residence would have extended for a much longer time than is provided in this bill. This is wrong in principle because our courts being opened to applications of this kind under the present law as to residence, no action should be taken interfering with the right to prosecute to final judgment such actions legally under the then statutes commenced.

Undoubtedly this bill was passed under a misapprehension on the part of the members of the Legislature in regard to its legal effect. The right of divorce is statutory and a pending action at whatever stage falls with the statute under which it is brought. There is a marked difference between the creation of a new or cumulative remedy for an existing right and the creation of the right itself. The repeal of a statute concerning jurisdiction or creating a right of

action without a saving clause takes away all right to proceed and the repealed act will be considered as if it never existed except for the purpose of those actions or suits which have been prosecuted and concluded while it was an existing law. I believe the above remarks will, upon investigation by the lawyers of your Honorable Body, be found a correct statement of fundamental principle of law. Decisions of reputable courts have gone so far as to declare that a repeal after judgment of the statute upon which an action is founded, made before the entry of the judgment, works a discontinuance of the suit and that a repeal pending an appeal to a higher court charges the appellate court with the duty of declaring the litigation ended without right of further prosecution. This rule holds good until the proceedings have reached a final judgment in the court of last resort, for that court when it comes to pronounce its decision confines it to the law then existing and may, therefore, reverse a judgment which was correct when pronounced in the subordinate tribunal in which the case originated if the statute which was necessary to support the judgment of the lower court has been withdrawn by an absolute repeal.

Vance vs. Rankin, 194 Ill. 625.

In my judgment the law is settled that if a statute giving a special remedy is repealed without a saving clause in favor of pending suits, all suits must stop where the repeal finds them and if final relief has not been granted before the repeal went into effect, it cannot be after.

South Carolina vs. Gillard, 101 U. S. 433.

These decisions are founded on the universal rule that there is no vested right in a particular remedy unless the remedy is part of the right itself.

I sincerely hope the Legislature will not, even if you fail to overrule my objections to this bill, permit the present divorce laws to remain intact as part of our statutes. The time required for the plaintiff to be a resident of both State and county should be fixed as it is in the bill under consideration. If this important matter is again brought to the attention of the Legislature, I suggest that not only the matter of residence be fixed in accordance with the provisions of this bill, but that you go further and favorably consider changing the provisions of the law itself so as to provide for an interlocutory decree of divorce not to become final for six months after its entrance, and further providing that no appeal should be allowed from the final decree but that an appeal shall be granted from the interlocutory decree. Our present law forbids a remarriage until six months has elapsed after the entry of the decree. This provision of our present law is easily evaded by the parties affected going to an adjoining State and there having the marriage ceremony performed. The prohibition of the statute will in such case not apply and becomes a nullity. If the proposed system of interlocutory decree is adopted it would necessarily follow that a marriage anywhere pending the entry of the final decree would be bigamous.

I also suggest, if this matter is pursued further, that the statute be so amended as to permit applications for limited divorce or separation, leaving the parties free to afterwards apply for absolute divorce. This provision would be eminently satisfactory to those of our people who have religious scruples against seeking absolute divorce.

Trusting that what I have said will not be construed as opposition to the ideas enunciated in the bill in question, but rather as an effort to make these ideas more effective and put them in such shape that injustice can not be worked upon any of our citizens, and

also asking you to seriously consider the enactment of proposed amendments to our divorce laws on the lines suggested, I respectfully submit the matter for your consideration.

Boise, Idaho, February 17, 1911.

(Signed.)

JAMES H. HAWLEY,

Governor.

The question before the House was whether the Governor's veto should be sustained. The question being put to the House, Governor's veto was sustained.

Morgan Moved that the vetoed bill, together with the message from the Governor relating to same, be referred to the Judiciary Committee with instruction to prepare a suitable bill along the lines suggested by the Governor in his message and report the same back to the House.

Seconded by Jenson.

Motion carried.

HOUSE BILL NO. 251, BY BRADFORD, CROW, CEASER, STOREY AND WILSON, read a third time at length, section by section, for final action.

Referred to the Committee on Irrigation, Reservoirs and Reclamation.

HOUSE BILL NO. 302, BY BRADFORD (BY REQUEST), read a third time at length, section by section, for final action.

Moved by Galloway and seconded by Johnson that House Bill No. 302 be indefinitely postponed.

Motion carried.

House Bills Signed By the Speaker.

Speaker, in the presence of the House, signed House Bills Nos. 199, 200, 208, 137 and 211 and House Joint Memorial No. 6.

HOUSE BILL NO. 238, BY TAYLOR, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Hammer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Johnston, Jones, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Walker.

Total number of votes, 53. Ayes, 52. Nays, 1. Absent, not voting, 6.

And so the bill passed, title was approved, and House Bill No. 238 ordered transmitted to the Senate.

HOUSE BILL NO. 258 (SUBSTITUTE FOR HOUSE BILL NO. 79), BY COMMITTEE ON FISH AND GAME, read a third time at length, section by section, for final action.

Moved by Baldrige and seconded by Sanborn that House Bill No. 258 be referred to the Committee of the Whole for amendments.

Motion carried.

Moved by Bell and seconded by Black that House adjourn until 2 p. m.

Motion carried.

House adjourned.

Afternoon Session.

House met pursuant to adjournment. Mr. Speaker in the Chair. Roll call showed all members present except Glennon, excused.

Message From the Governor.

To the Senate and House of Representatives, Mr. Speaker and Members of the House of Representatives:

I am in receipt of a communication from Governor Hiram W. Johnson, of California, of which the following is a copy:

Hon. Jas. H. Hawley, Governor of Idaho, Boise City, Idaho:

Your Excellency—"This is to confirm my night telegram of the 12th inst, reading as follows:

"Congress having honored San Francisco by designating her the Exposition City for nineteen fifteen, it is desired that a Commission be appointed from your State, of which you shall be a member, to visit San Francisco and the exposition site. This commission should visit this city during the summer months when work on the exposition will have started. I earnestly ask you to endorse a bill and urge its introduction at this session of your Legislature appropriating such an amount as you may deem necessary for the expense of this commission. This will permit the commissioner to gain an intelligent idea of the requirements for a building and proper exhibit from your State and would be better able to advise your Legislature at this or next session when the matter of appropriating for the Panama-Pacific International Exposition will be made. Letter follows. Please accept my deepest appreciation."

"It is planned to have commissioners from every State in the Union visit San Francisco some time during the next six months, when work on the exposition will be in full swing. In this way, an opportunity will be afforded the commissioners to learn of the extensive plans of the exposition directors, to view the exposition site, and to select locations for their respective State buildings, as well as to see the new San Francisco and California.

"It is my belief and the impression of the directors of the Panama-Pacific International Exposition Company that the general plan will materially help your State Legislature in making a suitable appropriation when the matter is formally presented. I strongly urge you to have a bill introduced at this session of your Legislature appropriating an amount sufficient to cover the expenses of the commissioners to this city. I hope I may count on your hearty support as we are anxious to have all arrangements perfected for the Panama-Pacific International Exposition at as early a date as possible. Enclosed find copy of bill in blank.

"Thanking you for your courtesy, and assuring you of the appreciation of every citizen of this State, I beg to remain,

"Respectfully yours,

HIRAM W. JOHNSON,

Governor.

In view of the facts stated in the above letter and the importance of the subject matter to our people in that the great resources of the State of Idaho should be properly advertised and represented at this International Exposition, I recommend an appropriation of \$..... be made to carry into effect the suggestion made by the Governor of our sister State.

I cannot let the opportunity pass without congratulating the people of Idaho, and, in fact, of all our far Western States, upon the selection of the City of San Francisco as the site for holding the International Exposition in honor of the completion of the Panama Canal, one of the greatest works ever conceived and executed by man.

Respectfully,

JAMES H. HAWLEY,

Governor.

Morgan moved that the message from the Governor and its accompanying letter be referred to the Committee on State Affairs.

Seconded by McCabe.

Motion carried.

Reports of Standing Committees.

The Committee on Privileges and Elections submitted the following report.

Mr. Speaker:

We, your Committee on Privileges and Elections, respectfully report that we have had under consideration House Bills Nos. 375, 406, 407, 408, 409 and recommend that they do not pass.

BRADLEY,
Chairman.

Report adopted

The Committee on Private Corporations submitted the following.

Mr. Speaker:

We, your Committee on Private Corporations, respectfully report that we have had under consideration House Bill No. 280 and recommend that it do pass

BRADFORD,
Chairman.

Report accepted and House Bill No. 280 referred to Engrossing Committee and ordered engrossed.

The Committee on Banks and Banking submitted the following report:

Mr. Speaker:

We, your Committee on Banks and Banking, respectfully report that we have had under consideration Senate Bill No. 51 and recommend that it do pass.

McCABE,
Chairman

Report received and Senate Bill No 51 referred to Engrossing Committee and ordered engrossed.

The Committee on Railroads, Carriers and Other Public Corporations submitted the following report:

Mr. Speaker:

We, your Committee on Railroads, Carriers and Other Public Corporations, beg leave to report that we have had under consideration House Bill No. 180, by Oakes and report the same back to the House with the recommendation that it do pass; also House Bill No. 374, by Crow, and report the same back to the House with the recommendation that it do not pass.

DAVIS,
Chairman.

Report adopted and House Bill No 180 referred to Engrossing Committee and ordered engrossed.

The Committee on Live Stock submitted the following report:

Mr. Speaker:

We, your Committee on Live Stock, respectfully report that we have had under consideration House Bill No. 331 and recommend that it do pass.

ARTHUR,
Chairman.

Report accepted and House Bill No. 331 referred to Engrossing Committee and ordered engrossed.

The Committee on Engrossed and Enrolled Bills submitted the following report:

Mr. Speaker:

We, your Committee on Engrossed and Enrolled Bills beg leave to report House Bill No. 187 correctly engrossed.

BOWER,
Acting Chairman.

Report received and House Bill No. 187 filed for third reading.

The Committee on Engrossed and Enrolled Bills submitted the following report:

Mr. Speaker:

We, your Committee on Engrossed and Enrolled Bills, beg leave to report House Bills No. 142 correctly enrolled.

BOWER,
Acting Chairman.

Report accepted.

The Committee on Printing submitted the following report:

Mr. Speaker:

Your Committee on Printing herewith report that we have had correctly printed and distributed the following:

House Bills Nos. 346 and 327; House Joint Resolution No. 19; amendments to House Bills Nos. 213, 278 and 320; and House Bill No. 430 has been read by copy, corrected and sent to the printer.

JONES,
Chairman.

Report accepted.

Motions and Resolutions.

Morgan moved that when House adjourn today it be until 9 a. m. Monday, February 20, 1911.

Seconded by Bell.

Motion carried.

Johnston moved that the Committee on Rules be instructed to formulate a rule for the House, limiting time for debate on bills coming before the House for final action.

Seconded by Nielsen.

Motion carried.

Unanimous consent was given to return to the Tenth Order of Business.

Introduction of House Bills, Concurrent Resolutions and Joint Memorials.

By unanimous consent, the following bills were introduced:

H. B. NO. 432, BY COMMITTEE ON AGRICULTURE AND HORTICULTURE (SUBSTITUTE FOR H. B. NO. 284).

An Act to amend Section 1313 of the Revised Codes of Idaho and to amend Sections 1310, 1311, 1312, 1315 and 1325 of the Revised Codes of Idaho, as amended by the Tenth Session of the Legislature of the State of Idaho; amending Sections 1318, 1322 and 1323 of the Revised Codes of the State of Idaho, relating to horticultural inspection; also amending Section 1326 of the Revised Codes of Idaho by adding Sections 1326a, 1326b, 1326c, 1326d, 1326e and 1326f, relating to the disposal of packing used in nursery shipments from without this State; relating to the spraying of apple and pear trees for codling moth; providing for the proper labeling of spray solution and packages containing arsenate of lead and zinc by all dealers therein within this State; providing what formula shall be used by contract or custom sprayers; making any contract illegal when a different formula from that contained herein is used by any sprayer within this State, and making exception in certain cases; providing a punishment for

the violation of any of the provisions of this Act; directing that all license fees, fines or forfeitures collected in the pursuance of this Act shall be paid into the horticultural inspection fund; repealing all Acts or parts of Acts in conflict herewith and expressly repealing Section 3 of an Act of the Tenth Session of the Legislature of the State of Idaho, approved March 12, 1909, and entitled, "An Act to amend Sections 1310, 1311, 1312, 1315, 1325 and repeal Section 1327 of the Political Code of the Revised Codes of Idaho pertaining to horticultural inspection, and adds Section 1327, providing for notice to inspectors before delivery by carrier; and declaring an emergency."

H. B. NO. 433, BY EDGINGTON.

An Act to provide for the payment of officers, members and employees and for the general expenses of the Eleventh Session of the Legislature of the State of Idaho, and declaring an emergency whereby this Act shall go into effect immediately on its approval.

First Reading of House Bills, Concurrent Resolutions and Joint Memorials.

The following House Bills were read first time in full:

H. B. No. 432, by Committee on Agriculture and Horticulture.

H. B. No. 433, by Edgington.

By unanimous consent, House returned to Ninth Order of Business.

Motions and Resolutions.

Edgington moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that House Bill No. 433 be read second time by title and third time at length, section by section, and be put upon its final passage.

Seconded by Bradford.

The question being on the suspension of the rules, roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Davis, Dunning, Eckles, Edgington, Elmers, Farmin, Featherstone, Friend, Galloway, Gibson, Hammer, Hellekson, Hendricks, Hill, Holmberg, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Hutton.

Total number of votes, 57. Ayes, 56. Nays, 1. Absent, not voting, 2.

And so the rules were suspended.

HOUSE BILL NO. 433, BY EDGINGTON, read the second time by title and third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Davis, Dunning, Eckles, Edgington, Elmers, Farmin, Featherstone, Friend, Galloway, Gibson, Hammer, Hellekson, Hendricks, Hill, Holmberg, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Hutton.

Total number of votes, 56. Ayes, 55. Nays, 1. Absent, not voting, 3.

And so the bill passed, title was approved, and House Bill No. 433 was ordered transmitted to the Senate.

Message From the Senate.

The following message was received from the Senate:

Mr. Speaker:

I have the honor to transmit herewith Senate Bills Nos. 129, 150, 74, 90 and 124, which have passed the Senate Also House Bill No. 71, as amended by the Senate, House Joint Memorial No. 8 and House Bills Nos. 182, 40, 95, 133 and 157 which have passed the Senate.

CHARLES J. LISLE,
Assistant Secretary of Senate.

Special Order—H. J. M. No. 7.

Speaker announced that the hour of 2 p. m. having arrived, House Joint Memorial made a special order for this time would be considered.

HOUSE JOINT MEMORIAL NO. 7, BY DUNNING AND MORGAN, read a third time at length, section by section, for final action. After extended discussion Davis moved the previous question.

Seconded by Johnston.

Carried.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Dunning, Eckles, Edgington, Friend, Gibson, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jayne, Kerby, Leaf, Morgan, McCabe, Nelson, Parker, Pincock, Sanborn, Sorenson, Stephens, Strode, Terrell, Walker, Wilson, Wood

Nays—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Davis, Eimers, Farmin, Featherstone, Hanmer, Jacobs, Johnson, Johnston, Jones, Nielsen, Nihart, Oakes, Smith, Taylor, Thompson, Warnick, Mr. Speaker.

Total number of votes, 55. Ayes, 27. Nays, 28. Absent, not voting, 4.

And so House Joint Memorial No. 7 failed to pass.

Third Reading of House Bills, Joint Resolutions and Joint Memorials, and Final Action Thereon.

HOUSE BILL NO. 295, BY NIHART, read a third time at length, section by section, for final action.

Moved by Davis and seconded by Sanborn that House Bill No. 295 be referred to the Committee on Irrigation.

Motion carried.

HOUSE BILL NO. 247, BY SMITH AND TAYLOR, read a third time at length, section by section, for final action.

Kerby moved that the bill be indefinitely postponed.

Seconded by Walker.

Motion lost.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Baldrige, Bell, Black, Bower, Bradford, Ceaser, Dunning, Edgington, Eimers, Farmin, Friend, Gibson, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hyde, Jacobs, Jayne, Jensen, Johnson, Jones, McCabe, Nielsen, Nihart, Smith, Stephens, Taylor, Terrell, Thompson, Warnick, Mr. Speaker.

Nays—Berry, Bradley, Eckles, Featherstone, Galloway, Kerby,

Morgan, Oakes, Parker, Pincock, Sanborn, Sorenson, Strode, Walker, Wilson, Wood.

Total number of votes, 50 Ayes, 34. Nays, 16. Absent, not voting and excused, 9.

And so the bill passed, title was approved, and House Bill No. 247 was ordered transmitted to the Senate.

Report of Enrolling Committee.

Mr. Speaker:

We, your Committee on Enrolled Bills, beg leave to report House Bills Nos. 186, 41 and House Joint Memorial No. 8 and House Joint Resolution No. 14 correctly enrolled.

BOWER,
Acting Chairman.

HOUSE BILL NO. 266, BY WALKER, was read third time at length, section by section, for final action.

Moved by Jones, seconded by Thompson, that the bill be referred to the Committee on Railroads, Carriers and Other Public Corporations.

Motion withdrawn.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Baldrige, Bell, Dunning, Edgington, Farmin, Featherstone, Galloway, Gibson, Hanmer, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Kerby, Morgan, McCabe, Nielsen, Nihart, Pincock, Smith, Sorenson, Stephens, Strode, Taylor, Walker, Wilson, Wood, Mr. Speaker.

Nays—Black, Ceaser, Friend, Jones, Oakes, Parker, Terrell, Thompson and Warnick.

Total number of votes, 43. Ayes, 34. Nays, 9. Absent, not voting, 16.

And so the bill passed, title was approved, and House Bill No. 266 ordered transmitted to the Senate.

HOUSE BILL NO. 310, BY CROW, read third time at length, section by section, for final action.

Moved by Terrell, seconded by Hill, that the bill be referred to the Committee of the Whole and take its place on the regular calendar for the purposes of amendment.

Motion carried.

HOUSE BILL NO. 6, BY GLENNON, read third time at length, section by section, for final action.

Elmers moved, seconded by Gibson, that action on the bill be deferred until Mr. Glennon's return.

Motion withdrawn.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Bell, Ceaser, Dunning, Edgington, Elmers, Farmin, Featherstone, Friend, Galloway, Gibson, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Leaf, Morgan, McCabe, Parker, Pincock, Sorenson, Strode, Terrell, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Baldrige, Berry, Black, Bradley, Hyde, Kerby, Nielsen, Nihart, Oakes, Stephens, Thompson, Walker.

Total number of votes, 47. Ayes, 35. Nays, 12. Absent, not voting, 12.

And so the bill passed, title was approved, and House Bill No. 6 was ordered transmitted to the Senate.

First Reading of Printed Amendments to House Bills.

Printed amendments to the following House Bills were read first time in full:

H. B. No. 213.

H. B. No. 278.

H. B. No. 320.

Dunning moved, seconded by Walker, that the Senate be invited to join the House in hearing an address from Congressman Henry George of New York.

Motion carried.

Hanmer moved, Thompson seconded, that the House adjourn until 9 a. m. Monday.

Motion carried.

House adjourned.

CHARLES D. STOREY,
Speaker.

JAMES H. WALLIS,
Chief Clerk.

MONDAY, FIFTIETH DAY, FEBRUARY, 20, 1911.**Morning Session.**

Hall of House of Representatives,
Boise, Idaho, February 20, 1911.

House met pursuant to adjournment, Mr. Speaker in the chair.

Prayer was offered by the Chaplain.

Roll call showed all members present, except Glennon, who was excused.

Journal for the forty-seventh day was then read.

The Committee on Journal submitted the following report:

Mr. Speaker:

We, your Committee on Journal, herewith report that we have had under consideration the Journal for the forty-seventh day, and have corrected the same, and move that the Journal for that day be approved.

WARNICK,
Chairman.

Report adopted, and Journal for the forty-seventh day approved.

Reports of Standing Committees.

The Committee on Education submitted the following report:

Mr. Speaker:

We, your Committee on Education, respectfully report that we have had under consideration House Bills No. 351 and 274, and recommend that they do pass; also House Bills Nos. 424, 423, 37, 316, and recommend that they do not pass.

HANMER,
Chairman.

Report adopted, and House Bills Nos. 351 and 274 referred to Engrossing Committee and ordered engrossed.

The Committee on Engrossed and Enrolled Bills submitted the following report:

Mr. Speaker:

We, your Committee on Engrossed and Enrolled Bills, beg leave to report House Bills Nos. 156, 324, 319, 180 and 325 correctly engrossed.

BOWER,
Acting Chairman.

Report received, and House Bills Nos. 156, 324, 319, 180 and 325 filed for third reading.

The Committee on Appropriations submitted the following report:
Mr. Speaker:

We, your Committee on Appropriations, having had under consideration House Bill No. 391, by Black, hereby renders its report as follows: We recommend that the bill do pass.

Also House Bills Nos. 388, 389 and 390, by Black, and recommends that these bills do pass.

Also House Bill No. 419, by Dunning, and recommend that the same be referred to your Judiciary Committee.

Also House Bill No. 287, by Johnson, and report favorably on the appropriation in said bill, but recommends that the bill be referred to the Judiciary Committee for correction.

Also House Bill No. 371, by the Committee on State Affairs, and recommend that the bill be placed on the General Calendar.

Also House Bill No. 373, by Crow, and recommend that the same be reported to your Committee on Roads, Bridges and Ferries.

Also House Bill No. 382, by Dunning, and recommends that the bill do pass.

Also House Bills Nos. 388, 389 and 390, by Black, and recommend that these bills be reported back without recommendation.

Also House Bill No. 168, by Ceaser, and report the same back without recommendation.

Also House Bill No. 191, by Friend and Stephens, and recommends that in lines 3 and 4 of Section 1 the words and figures "eighteen hundred dollars (\$1,800)" be stricken out, and that the words and figures "twelve hundred dollars (\$1,200)" be substituted therefor; that in line 8 of the same section the words and figures "nine hundred dollars (\$900)" be stricken out, and the words and figures "six hundred dollars (\$600)" be substituted therefor, and that as so amended the bill do pass.

Respectfully submitted,

BELL,
Chairman.

Report adopted, and House Bills Nos. 391, 388, 389, 399 and 382 referred to Engrossing Committee and ordered engrossed. House Bills Nos. 419 and 287 referred to Judiciary Committee. House Bills Nos. 371 and 191 placed on calendar, and House Bill No. 373 referred to Committee on Roads, Bridges and Ferries.

The Committee on Privileges and Elections submitted the following report:

Mr. Speaker:

We, your Committee on Privileges and Elections, respectfully report that we have had under consideration House Joint Resolution No. 11, and recommend that it do pass, as amended. We recommend that this resolution be amended as follows:

Strike out of Section 1, line 14, the figures "1912" and insert in lieu thereof the figures "1914."

Also report that we have had under consideration House Bills Nos. 412, 414, 422, and recommend that they do pass.

BRADLEY,
Chairman.

Report accepted, and House Bills Nos. 412, 414 and 422 referred to Engrossing Committee and ordered engrossed.

The Committee on Roads, Bridges and Ferries, submitted the following report:

Mr. Speaker:

We, your Committee on Roads, Bridges and Ferries, having had under consideration Senate Bill No. 68, by Poole, herewith return same with the recommendation that the bill do pass.

Also House Bill No. 327, by Arthur and Friend, and recommend

that the bill be amended as follows:

That the words and figures "ten thousand dollars," in line 2 of the title, be changed to read "seven thousand dollars."

That in line 4 of Section 1 the words and figures "seven thousand" be substituted for the words and figures "ten thousand."

That in Section 2, after the period in line 8, all of the rest of this section be stricken out.

That all of Section 6 be stricken out, and the following sections be renumbered to comply with this change.

That the words and figures "five hundred" in Section 7, line 3, be changed to "three hundred fifty."

That the words and figures "two thousand" in lines 10 and 11 of Section 9 be changed to "one thousand four hundred (1,400)."

That another section be added to the bill to read as follows:

"Section 14. Provided that the sum of three thousand dollars (\$3,000) be raised from other sources and the same be made available for the construction of this road before any part of the State's appropriation shall be advanced for this purpose; that when the said sum of three thousand dollars (\$3,000) shall have been raised and made available to the satisfaction of the Governor of Idaho, he shall so certify to the Treasurer of the State of Idaho and that thereupon the sum appropriated by the State for the purposes of this Act set forth shall be available."

Also House Bill No. 268, by Black, and beg leave to make the following report:

We recommend that the bill be amended as follows:

In line 2 of the title strike out the words "one hundred" and insert in lieu thereof "twelve," and after the word "thousand," in the same line, insert the words "five hundred," and change the figures "\$100,000" to "\$12,500." On page 2, line 5, in the title, strike out the words "one hundred" and insert in lieu thereof "twenty-five," and change the figures "\$100,000" to "\$25,000," and add the following after the semi-colon: "and that the additional amount over and above the sum of twelve thousand five hundred dollars (\$12,500) shall be raised from other sources and made available to the satisfaction of the Governor of Idaho before the proceeds of the sale of said bonds, or any part thereof, shall be available;" and in line 7 after the word "the" add the word "location."

In Section 1, line 5, strike out the words "one hundred" and insert in lieu thereof "twelve," and after the word "thousand" add the words "five hundred" and change the figures "\$100,000" to "\$12,500."

In line 5, Section 1, strike out the words "one hundred" and insert in lieu thereof the word "twelve," and after the word "thousand," in the same line, insert the words "five hundred," and change the figures "\$100,000" to the figures "\$12,500."

In Section 6, line 2, strike out the words "one hundred" and insert in lieu thereof the word "twelve," and in the same section after the word "each," in line 3, add the words "and one bond of the State in the sum of five hundred dollars (\$500)."

In Section 7, line 6, strike out the words "two hundred" and add in lieu thereof the words "twenty-six," and change the figures "200" to "26."

In Section 8, line 3, change the words and figures "four (4)" to "one (1)," and change the word "mills" to "mill."

That Section 15 be added and made to read as follows:

"Section 15. The loan and bond issue provided for by this Act are authorized upon the following conditions, to wit: The cost and fair value of said road and right-of-way, when completed, shall be not less than twenty-five thousand dollars (\$25,000), and the additional amount required for the payment of the cost of construction of said

road, over and above the amount of twelve thousand five hundred dollars (\$12,500), to be raised by the loan and bond issue herein provided for, shall be raised from other sources and shall be made available to the satisfaction of the Governor of the State of Idaho, who shall certify to that effect to the Treasurer of the State of Idaho before any part of the twelve thousand five hundred (\$12,500) to be raised by the loan and bond issue by this Act provided for, or any part thereof, shall be available for the purposes on this Act set forth."

And we recommend that the bill, as amended, do pass.

JACOBS,
Chairman.

Report adopted, and Senate Bill No. 68 placed on third reading.

The Committee on Cities, Towns and Other Municipal Corporations submitted the following report:

Mr. Speaker.

We, your Committee on Cities, Towns and Other Municipal Corporations, having had under consideration House Bill No. 298, by Jacobs and Wood, recommend that the bill do pass.

Also that House Bill No. 317, by Black, do pass.

BLACK,
Chairman.

Report adopted and House Bills Nos. 298 and 317 referred to Engrossing Committee and ordered engrossed.

The Judiciary Committee submitted the following report:

Mr. Speaker:

The Judiciary Committee having had under consideration House Bill No. 52, by Black, Farmin, Sanborn, Jones and Thompson, recommend that it do not pass.

Also House Bill No. 361, by Terrell and Featherstone, recommend that it do pass.

Also House Bill No. 323, by Crow, report as follows: Recommend that all of Section 8 be stricken out, and that there be placed in lieu thereof Section 8 to read as follows:

Section 8. Property to be used exclusively for sites for power plants, used for the development of electric power. And that, as amended, the bill do pass.

Also House Bill No. 347, by Jones, recommend that it do not pass.

Also House Bill No. 348, by Eckles (by request), recommend that it do not pass.

Also House Bill No. 290, by Crow (by request), recommend that it do not pass for the reason that the same ground is covered by another bill.

Also House Bill No. 262, recommend that it do not pass.

Also House Bill No. 305, recommend that it do not pass.

Also House Bill No. 308, by Glennon, recommend that it do pass.

Also House Bill No. 306, by Nihart, make the following recommendations: In line 3, Section 1, after the word and figures "Section 3241," strike out all of line 3, 4 and 5 and substitute therefor the following:

"A cubic foot of water per second of time shall be the legal standard for the measurement of water in this State, and it shall be the duty of the State Engineer to devise a simple, uniform system for the measurement and distribution of water: Provided, however, That the legal standard for the measurement of water stored in reservoirs shall be an acre foot.

And that the bill do pass as amended.

Also House Bill No. 307, by Glennon, recommend that it do not pass for the reason that same is unconstitutional.

Also House Bill No. 332, by Galloway, recommend that same be amended as follows: Add at the end of Section 3 the following: "Pro-

vided, however, That nothing in this Act contained shall apply to any incorporated city, town or village." And that it do pass as amended.

Also House Joint Resolution No. 23, by Friend and Arthur, recommend that it do pass.

Also House Bill No. 309, by Glennon (by request), recommend that it do pass.

Also House Bill No. 294, by Nihart, recommend the following: In line 13, Section 1, after the word "lands" and before the word "belonging" insert the words: "ditch, canal, lateral and water rights." And that the same do pass as amended.

Also House Bill No. 413, by Terrell, recommend that same do pass.

Also House Bill No. 403, by Terrell, recommend that same do pass.

Also House Joint Resolution No. 26, by Nihart, recommend that same do not pass.

Also House Bill No. 356 by Jacobs (by request), recommend that same do pass.

Also House Bill No. 383, recommend that same do not pass.

Also House Bill No. 386 by Davis, recommend that same be referred to Committee on Ways and Means.

Also House Bill No. 363 by Crow, recommend that same do pass.

Also House Joint Resolution No. 25, by Bradford, recommend that same do not pass.

Also House Joint Resolution No. 24 by Bradford, recommend that same do pass.

Also House Bill No. 421 by Davis, recommend that same do pass.

Also House Bill No. 418 by Bradford, recommend that same do pass.

Also House Bill No. 417 by Holmberg, recommend that same do pass.

Also House Bill No. 378 by Jayne, recommend that same be amended by striking out the emergency clause, and that it do pass as amended.

Also House Bill No. 404 by Terrell, recommend as follows: In Section 1 of said bill, after the word "count" strike out the words "not exceeding the sum of Five Hundred Dollars (\$500)." In Section 2 strike out all of said section after the word "state" and strike out all of Section 4. And that same do pass as amended.

Also Senate Bill No. 66 by Potts, recommend that same do pass.

Also House Bill No. 281 by Jones, return the same to the House with the recommendation that it go on the general calendar for discussion.

FEATHERSTONE,

Chairman.

Moved by Featherstone, seconded by Davis, that the report of the committee be adopted.

Motion carried and House Bill Nos. 361, 308, 309, 413, 403, 356, 363, 421, 418, 417 and House Joint Resolutions Nos. 23 and 26 referred to Engrossing Committee and ordered engrossed; House Bill No. 386 referred to Committee on Ways and Means; and House Bill No. 281 placed on Calendar.

The Committee on Judiciary submitted the following report:
Mr. Speaker:

The Judiciary Committee, having had under consideration House Bill No. 87, by Hanmer, which has been vetoed by the Governor, also the Governor's message on the same, herewith return the bill and message to the House for the reason that the author of the said bill has prepared a new bill covering the same subject and included in the same a portion of the recommendations of the Governor's message.

FEATHERSTONE,

Chairman.

Report adopted.

The Committee on Rules submitted the following special report:
Mr. Speaker:

We, your Committee on Rules, having had under consideration the matter of reporting additional rules which shall serve to expedite business during the remainder of the session, recommend that the following additional House Rules be adopted:

1. When a bill is upon third reading and final passage, the member introducing the bill or some other member designated by him for that purpose, shall have five minutes in which to explain the purposes of the bill, after which any member desiring to discuss the same shall be allowed three minutes in which to do so, and no member shall be permitted to speak more than once on any bill when on third reading and final passage except that the member introducing the same or such other member as may be selected by him for the purpose, may have three minutes in which to close the debate.

2. The foregoing rule shall apply in Committee of the Whole on general debate.

DAVIS,
Chairman.

Moved by Davis and seconded by Allred that report be adopted.

Motion carried.

The Committee on State Affairs submitted the following report:

Mr. Speaker.

We, your Committee on State Affairs, having had under consideration House Bill No. 138, by Johnson, beg leave to report that we recommend that the bill be placed on the General Calendar.

Also House Bill No. 100, by Smith, and beg leave to report that we recommend that the bill do pass.

The appropriation carried therewith is for the sum of \$112,000, but \$56,500 of this amount is for the purpose of additional improvements to the State University, and if the mill tax, recommended for the State University, do pass, we recommend that the bill do pass for the sum of \$55,500 for use in conducting experiments and demonstrations along various lines of agriculture, and we further recommend that this bill be referred to the Appropriation Committee.

Also having had under consideration House Bill No. 399, by Jensen, beg leave to report that we recommend that the bill do pass.

Also having had under consideration House Joint Resolution No. 16, by Black, beg leave to recommend that the resolution do pass.

Also having had under consideration Senate Bill No. 41, by Hornbrook, beg leave to report that we recommend that the bill do pass.

Also having had under consideration House Bill No. 227, by Galloway, beg leave to report that we recommend the bill favorably, and that it be placed on the General Calendar.

Also having had under consideration House Bill No. 279, by Dunning (by request), beg leave to report that we recommend that the bill be referred to the Judiciary Committee.

Also having had under consideration House Bill No. 321, by Hutton, beg leave to report that we believe the bill is right in principle, but as there is a doubt as to its being constitutional, we recommend that the bill be referred to the Judiciary Committee.

Also having had under consideration House Bill No. 334, by Stephens and Hellekson, beg leave to report that we recommend that the bill be referred to the Committee on Roads, Bridges and Ferries.

Also having had under consideration House Bill No. 296, by the Committee on Banks and Banking, beg leave to report that the bill, being very lengthy, we have not been able to give it full consideration, and because of the legal points involved as to its being constitutional or otherwise, we report favorably, but ask that the bill be referred to the Judiciary Committee.

Also having had under consideration House Bill No. 360, by Baldridge, beg leave to report that we recommend that the bill do pass.

Also having had under consideration House Bill No. 250, by Gibson, beg leave to report that we recommend that the bill do not pass.

Also having had under consideration House Bill No. 216, by Davis, beg leave to report that we recommend that the bill be placed on the General Calendar.

Also having had under consideration Senate Bill No. 81, by Senate Judiciary Committee, beg leave to report that we recommend that the bill do pass.

JOHNSTON,

Chairman.

Report adopted and House Bills Nos. 100, 399 and 360 and House Joint Resolution referred to Engraving Committee and ordered engrossed; House Bill No. 234 referred to Committee on Roads, Bridges and Ferries; House Bill Nos. 227, 138 and 216 placed on Calendar; Senate Bills Nos. 41 and 81 filed for third reading; and House Bills Nos. 273, 321 and 296 referred to Judiciary Committee.

The Committee on Printing submitted the following report:
Mr. Speaker:

Your Committee on Printing herewith report that we have had correctly printed and distributed the following:

House Bills Nos. 275, 287, 321, 340, 352 and 404.

The following have been read by copy, corrected and sent to the printer:

House Bills Nos. 366, 380, 429 and 432.

JONES,

Chairman.

The Committee on Charitable and Penal Institutions submitted the following report:

Mr. Speaker:

We, your Committee on Charitable and Penal Institutions, beg leave to report that we have had under consideration House Bills Nos. 401, by Terrell, and recommend that the same do pass.

WILSON,

Chairman.

Report adopted and House Bill No. 401 ordered engrossed.

The Committee on Irrigation, Reservoirs and Reclamation submitted the following report:

Mr. Speaker:

We, your Committee on Irrigation and Reservoirs, having had under consideration House Bills Nos. 293, 385 and 395, recommend that same do pass.

Also that House Bill No. 162 pass as amended.

NIHART,

Chairman.

Report adopted and House Bill Nos. 293, 385 and 395 referred to Engraving Committee and ordered engrossed.

The Committee on Engrossed and Enrolled Bills submitted the following report:

Mr. Speaker:

We, your Committee on Engrossed and Enrolled Bills, beg leave to report House Bills Nos. 280 and 331 correctly engrossed.

BOWER,

Acting Chairman.

Petitions and Communications.

Bradford presented a petition from one thousand or more of the citizens of Nampa and vicinity, requesting of the legislature the pass-

age of House Bill No. 386, providing for the annexation of Nampa and vicinity to Ada County, Idaho.

Same was referred to the Committee on County Lines and Boundaries having the bill in charge.

The following communication was received from the Department of the Interior.

Department of the Interior, United States Indian Service,

Lepwat, Idaho, Feb. 18, 1911.

Hon. Adams G. Johnson, House of Representatives, Boise, Idaho

Dear Sir: I am enclosing herewith a proposed amendment to Section 6859 of the Revised Code, State of Idaho. The original section is one prohibiting gambling in this state. It does not provide, definitely, for the punishment of gamblers playing a native game common among the Nez Perce Indians, and for this reason the local county authorities feel that they do not have sufficient basis on which to prosecute this class of offenses. A game called Lunknit, is very largely played by a certain class of the Nez Perce Indians. This game is played with sticks, and the Indians engaged in playing it, not only, let their last dollar, but also their horses, all kinds of valuable property and even their blankets, clothing and furniture. Some of the confirmed gamblers addicted to playing this game beggar themselves and render their families destitute. For the past year there has been a party of Indians gambling almost nightly in the vicinity of Sweetwater, Idaho. They occasionally play other games, but the most popular game with them is this game Lunknit. If the code can be amended to include, by particularizing, this game, we will have no difficulty, I believe, in prosecuting the offenders, and a few convictions will break up this most unfortunate practice among the Indians. We have endeavored to take this matter into the Federal Courts, but a decision was rendered against us for the reason that the Federal laws do not cover the offense. The Nez Perce Indians are citizens of the State of Idaho. They are subject to all the laws and punishments provided by the laws of this state for offenses committed by them, and are also entitled to the benefits and immunities of the laws. It is true their lands, while held in trust by the Government, are not taxed, but they are subject to poll tax and personal property tax. If it meets with your approval to have the amended bill I am enclosing, passed by the present Legislature, it would undoubtedly greatly benefit this tribe of Indians, for the money which is now dissipated in gambling would be paid to the merchants who extend credit to the families of these gambling Indians for necessities furnished them. Yours respectfully,

(Signed)

THEODORE SHARP,

Supt. & S. D. A.

Moved by Johnson and seconded by Morgan that the above communication be referred to the Committee on State Affairs, with instructions to prepare a bill along the lines suggested in the communication from the Department of the Interior.

Motion carried.

The following communication was received from The Country Life Commission:

To the Legislature of the State of Idaho:

The Country Life Commission appointed by Governor James H. Brady of Idaho, after a careful study of conditions affecting the agricultural interests of this State, would respectfully recommend that the Legislature of Idaho memorialize the Congress of the United States to the following effect:

1. Asking that the Indians (both children and adults) of the Ross Fork Indian Agency in Idaho be given training in manual and domestic arts, and agriculture.

2. That Congress take steps for at least a preliminary survey of the swamp lands of Idaho, amending the law so as to permit the

National Reclamation Service to assist in the development of the submerged as well as the arid lands of this State.

3. Asking Congress to complete the soil survey of Idaho which the National Government undertook some years ago.

4. Asking Congress to make an appropriation providing for the publication of the report of the Roosevelt Country Life Commission and for the continuance of the important work of that commission.

(Signed)

PAUL CLAGSTONE,

B. T. BYNES,

MARY G. BUTTERFIELD,

RALPH H. SCHNEELOCH,

ALICE BEACH, Secretary.

Moved by Morgan, and seconded by Warnick, that the communication be referred to the Committee on State Affairs.

Motion carried.

Edgington moved that Senate Bill No. 151 be made a special order of business for 2:30 this afternoon.

Seconded by Featherstone.

Motion carried.

Messages From the Governor.

The following message relative to House Bills Nos. 169 and 41 was received from the Governor:

Boise, Idaho, February 18th, 1911.

Mr. Speaker and Gentlemen of the House of Representatives:

I have this day approved House Bill No. 169, by Eimers. An Act appropriating the sum of fifteen thousand dollars (\$15,000) for the construction of a wagon bridge across the Salmon River about 500 feet above the Goff ferry on the line of the State wagon road in Idaho County, etc.

Respectfully,

JAMES H. HAWLEY,

Governor.

Boise, Idaho, February 18th, 1911.

Mr. Speaker and Gentlemen of the House of Representatives:

I have this day approved House Bill No. 41, by Johnson, Warnick and Edgington. An Act to provide for the macadamizing of about five miles of the public highway along and adjoining the right-of-way of the Oregon Short Line Railroad, in Bingham County, Idaho, commencing at Ross Fork in said County, etc.

Respectfully,

JAMES H. HAWLEY,

Governor.

Second Reading and Reference of House Bills, Concurrent Resolutions and Joint Memorials.

The following House Bills were read the second time in full:

H. B. No. 432, by Committee on Agriculture and Horticulture.

Second Reading of Printed Amendments to House Bills.

Printed amendments to the following House Bills were read a second time in full:

H. B. No. 213.

H. B. No. 278.

H. B. No. 320.

First Reading of Senate Amendments to House Bills.

Senate amendments to the following House Bill were read first time in full:

H. B. No. 71.

First Reading of Senate Bills, Concurrent Resolutions and Joint Memorials.

The following Senate Bills were read first time in full:

S. B. No. 103.
 S. B. No. 76.
 S. B. No. 82.
 S. B. No. 83.
 S. B. No. 94.
 S. B. No. 122.
 S. B. No. 123.
 S. B. No. 151.
 S. B. No. 87.
 S. B. No. 150.
 S. B. No. 90.
 S. B. No. 91.
 S. B. No. 92.
 S. B. No. 108.
 S. B. No. 131.
 S. B. No. 29.
 S. B. No. 74.
 S. B. No. 129.
 S. B. No. 124.
 S. C. R. No. 6.

Reference of Bills.

Speaker referred the following House Bills to their respective committees:

H. B. No. 366, County Lines and Boundaries.
 H. B. No. 380, Judiciary Committee.
 H. B. No. 429, Committee on Fish and Game.

Third Reading of House Bills, Concurrent Resolutions and Joint Memorials and Final Action Thereon.

HOUSE BILL NO. 303, BY FEATHERSTONE, read a third time at length, section by section, for final action.

Unanimous consent was given to correct clerical error in the bill by changing the section figures in the last subdivision from 20 to 19.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Berry, Black, Bower, Bradford, Bradley, Burrell, Davis, Dunning, Eckles, Edgington, Elmers, Farmin, Featherstone, Friend, Galloway, Gibson, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jayne, Johnson, Johnston, Jones, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 49. Ayes, 49. Nays, none. Absent, not voting, 10.

And so the bill passed, title was approved, and House Bill No. 303 was ordered transmitted to the Senate.

HOUSE BILL NO. 304, BY GLENNON AND FEATHERSTONE, read a third time at length, section by section for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Berry, Black, Bower, Bradley, Burrell, Davis, Dunning, Eckles, Elmers, Farmin, Featherstone, Friend, Galloway, Gibson, Hellekson, Hendricks, Hill, Hutton, Hyde, Jacobs, Jayne, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Sorenson, Stephens,

Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 48. Ayes, 48. Nays, none. Absent, not voting, 11.

And so the bill passed, title was approved, and House Bill No. 304 was ordered transmitted to the Senate.

HOUSE BILL NO. 326, BY JOHNSTON, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 52. Ayes, 52. Nays, none. Absent, not voting, 7.

And so the bill passed, title was approved, and House Bill No. 326 was ordered transmitted to the Senate.

Message From the Governor.

The following messages relative to House Bills Nos. 137, 200 and 211 were received from the Governor:

Boise, Idaho, February 20th, 1911.

Mr. Speaker and Members of the House of Representatives:

I have this day approved House Bill No. 137 (Substitute for House Bill No. 9), by Crow. An Act to amend Section 4416 of the Revised Codes of the State of Idaho relating to the appointment of referees.

Respectfully,

JAMES H. HAWLEY,

Governor.

Boise, Idaho, February 20th, 1911.

Mr. Speaker and Members of the House of Representatives:

I have this day approved House Bill No. 200, by Black. An Act to amend Section 4141 of the Code of Civil Procedure, Revised Codes of Idaho.

Respectfully,

JAMES H. HAWLEY,

Governor.

Boise, Idaho, February 20th, 1911.

Mr. Speaker and Members of the House of Representatives.

I have this day approved House Bill No. 211, by Featherstone, Terrell, Hill, Galloway, Glennon, Davis, Black, Morgan, Bradford, Edgington and Crow. An Act to amend Section 4807 of the Code of Civil Procedure of the State of Idaho, relating to appeals to the Supreme Court, and designating to what orders and judgments the provisions of this Act shall apply.

Respectfully,

JAMES H. HAWLEY,

Governor.

HOUSE BILL NO. 330, BY JUDICIARY COMMITTEE, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Davis, Dunning, Eckles, Edgington, Eimers, Farmin,

Featherstone, Friend, Galloway, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 52. Ayes, 52. Nays, none Absent, not voting, 7.

And so the bill passed, title was approved, and House Bill No. 330 was ordered transmitted to the Senate.

HOUSE BILL NO. 301, BY BRADFORD, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Bell, Black, Bradford, Burrell, Ceaser, Crow, Davis, Edgington, Featherstone, Friend, Hanmer, Johnson, Johnston, Jones, McCabe, Taylor, Wilson, Mr. Speaker.

Nays—Allred, Arthur, Bower, Bradley, Dunning, Eckles, Eimers, Farmin, Galloway, Gibson, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jayne, Kerby, Leaf, Morgan, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Sorenson, Stephens, Strode, Thompson, Walker, Warnick, Wood.

Total number of votes, 52. Ayes, 18. Nays, 34. Absent, not voting, 7.

And so the bill failed to pass

HOUSE BILL NO. 283, BY EDGINGTON, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 57. Ayes, 57. Nays, none Absent, not voting, 2.

And so the bill passed, title was approved, and House Bill No. 283 was ordered transmitted to the Senate.

HOUSE BILL NO. 245, BY DAVIS, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Bell, Berry, Black, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Bower.

Total number of votes, 54. Ayes, 53. Nays, 1. Absent, not voting, 5.

And so the bill passed, title was approved, and House Bill No. 245 ordered transmitted to the Senate.

HOUSE BILL NO. 197, BY BALDRIDGE, read a third time at length, section by section, for final action.

Moved by Eimers and seconded by Oakes that House Bill No. 197 be laid over on the Calendar until the author of the bill is present.

Motion carried.

HOUSE BILL NO. 333, BY GALLOWAY, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" the roll was called with the following result:

Ayes—Allred, Arthur, Berry, Black, Bower, Bradford, Bradley, Cesser, Crow, Dunning, E-kles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Jones, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Pincock, Sorenson, Stephens, Strade, Taylor, Terrell, Thompson, Walker, Wilson, Wood, Mr. Speaker.

Nays—Sanborn.

Total number of votes, 47. Ayes, 46. Nays, 1. Absent, not voting, 12.

And so the bill passed, title was approved, and House Bill No. 333 ordered transmitted to the Senate.

HOUSE BILL NO. 342, BY COMMITTEE ON IRRIGATION, RESERVOIRS AND RECLAMATION, read a third time at length, section by section, for final action.

Morgan moved that this bill go to the Committee of the Whole for amendment.

Seconded by Nihart.

Motion carried.

Message From the Governor.

The following message relative to House Bill No. 199 by Black, was received from the Governor:

Mr. Speaker and Gentlemen of the House of Representatives:

I return to you without my approval House Bill No. 199 by Mr. Black.

"An Act to amend Section 4310-C of the Code of Civil Procedure, Revised Codes of Idaho."

The object sought to be accomplished by this bill is, in my judgment, a good one and it is intended to supply a seeming defect in our Code of Civil Procedure. The vice of the bill in question is that it repeats a mistake made in the wording of the section of the Code sought to be amended and intensifies it by making an additional mistake of the same character. Either from inadvertence on the part of the compiler of the Codes or, more probable yet, through a mistake on the part of the printer, the section commences as follows: "Upon a copy of the interrogatories being served upon him, the garnishee shall make full and true answer to the same under oath and served on the plaintiff or his attorney." The word "serve" instead of the word "served" should have been used. The bill in question following the original bill adds: "and filed in the cause within five days thereafter." The word "file" should be used in order to make the meaning distinct and clear. After the word "file" I would suggest the words "the same" be added so as to intensify the meaning, then the part of the section objected to would read "and serve on the plaintiff or his attorney and file the same in the cause within five days thereafter."

I am satisfied you will agree with me that this proposed Act should be amended in these particulars and again receive your favorable consideration.

Respectfully submitted,

JAMES H. HAWLEY, Governor.

Boise, Idaho, February 20, 1911.

The question being, "Shall the Governor be sustained in his veto of House Bill No. 199?" vote was taken and the Governor was sustained.

Moved by Black and seconded by Morgan that House Bill No. 199, together with the veto message of the Governor, be referred to the Judiciary Committee with instructions to report a bill to the House embodying the features of H. B. No. 199, not objected to by the Governor, and making such change as suggested in said veto message.

Motion carried.

Message From the Governor.

The following message relative to House Bill No. 186 was received from the Governor:

Mr. Speaker and Gentlemen of the House of Representatives:

I return to you for your further consideration House Bill No. 186 by the Committee on Public Health, being

"An Act to amend an Act entitled: "An Act relating to embalming and transporting corpses," etc.

Section 1 of the Act in question is sought to be amended by the provisions of this Act in the matter of proof in prosecutions arising under the Act, and it is provided in Subdivision 2 of this Act, which amends Section 1 of the original Act, that: "It shall not be necessary to allege or prove that the defendant did not have a license as provided for in this Act." In a matter of this kind I would have no objections to the burden of proof being shifted upon the defendant because it would be his duty to always have in his possession the license permitting him to do business and, therefore, no hardship could be worked upon him in this particular Act but I do seriously object to that provision of the words quoted relieving the prosecution of the necessity of alleging the defendant did not have a license as provided for in this Act. A complaint not so alleging would be absolutely defective in that it would not state a cause of action against the defendant in a criminal cause and I am utterly opposed to so changing either our civil or criminal code as to permit either a civil or criminal complaint to stand as a proper pleading if such complaint does not state a cause of action against the defendant. To so permit in a criminal case would be an innovation on the well established rule of practice and one that could work no benefit to the state in this particular class of cases, because the real object of this bill as I take it is to change the burden of proof in one respect, and it is not necessary in order to change such burden of proof and attain the sought for object, to make any change in regard to the form of the complaint itself. The latter part of the amendment proposed permits the prosecution in a criminal cause of this kind to introduce as evidence a certified copy of the record of the Board of Health relating to the condition and status of the license sought to be proved. As I read the law (Sections 5966, 5977 and 5984 of the Revised Codes), the prosecution has this right under our present statutes and this amendment would be unnecessary; still I have no objection to the principle being reaffirmed in the present bill. My only objection is the provision relating to the change in the complaint upon which the criminal action is predicted.

Respectfully submitted,

JAMES H. HAWLEY.

Governor.

Boise, Idaho, February 20, 1911.

Hill moved that the Governor's message, together with House Bill No. 186 be referred to the Committee on Public Health.

Seconded by Walker.

Motion carried.

HOUSE BILL NO. 187, BY COMMITTEE ON PUBLIC HEALTH, read a third time at length, section by section, for final action.

Moved by Morgan, and seconded by Jayne, that House Bill No. 187 be referred to the Committee of the Whole.

Motion carried.

Message From the Governor.

The following message from the Governor relative to House Bill No. 208 was received:

Mr. Speaker and Gentlemen of the House of Representatives:

I herewith return to you without my approval House Bill No. 208, by Gleanon, et al. entitled:

"An Act relating to pleadings in civil cases and providing when and how the objection shall be raised that the complaint or answer does not state facts sufficient to constitute a cause of action, defense or counter-claim, and that the objection will be deemed to be waived when not so raised; and amending Sections 4178 and 4174 of the Idaho Revised Codes."

The object of the proposed amendment to our Code of Civil Procedure is to establish as a principle of our practice the theory that in order to take advantage of a complaint or a counter-claim in civil actions failing to state facts sufficient to constitute a cause of action the ground of objection must be distinctly pointed out "by demurrer or by the introduction of evidence seasonably presented at the trial." The word "seasonably" is not a happy expression in connection with a legislative Act amending the Code of Civil Procedure. This is a minor objection, however, as my real reason for objecting to the bill in question is the fact that it is an innovation not necessary. It is true that in some particular cases hardship has been worked upon plaintiffs by failure on the part of the defense to point out in the defendant's pleadings, or by his objections to evidence, wherein and how the complaint is open to a general demurrer. This is always the fault, however, of the attorney for the defendant, and I do not believe that it should be the object of any bill to supply the proper legal acumen and knowledge of the art of pleading to a lawyer appearing for the defense, by legislative enactment. He should acquire this knowledge by diligent study and from actual practice. I am absolutely opposed to innovations in our practice unless it has been clearly proved by long experience in this and other States practicing under similar Codes of Procedure that the ordinary practice is radically wrong, or unless a thorough change in our entire system of practice is contemplated. Section 4178 of our Revised Codes, being the section sought to be amended by this bill, is a verbatim copy, excepting the omission of one word which does not in any wise change the meaning of Section 45 of the Civil Practice Act of Idaho Territory, approved February 1, 1864, and found in the first Session Laws of Idaho Territory. This provision contained in the first Code of Procedure in civil cases in Idaho has continued from 1864 to be a part of our Code of Civil Procedure. Our first Practice Act was taken from the Practice Act of the State of California, as was the Practice Act in every State and Territory of the Pacific Coast. The State of California since the enactment of its first Code of Civil Procedure in 1850, has had a provision contained therein, word for word, as provided in Section 4178, and reference to Section 434 of the California Code of Civil Procedure, contained in the last authorized publication of that Code, shows this section is still in force in that State. I can not see any reason, as a matter of principle, why this change should be made. Changes of this character tend to work confusion in our Statutes and to make former decisions in regard to our practice inapplicable. There should in my judgment be no relief granted to a plaintiff who brings a defendant into court upon a complaint which fails to state a cause of action against such defendant. The plaintiff, taking the initiative in the action, is presumed to present a cause of

action and to have his pleadings thoroughly considered before they are filed, and if he fails in this important particular, either through his own fault or that of his attorney, he should take the consequences.

I would suggest, if it is sought to remedy the obnoxious practice that has prevailed in regard to filing general demurrers and then withdrawing them at the opening of the first term of court and substituting special demurrers or answer shortly before the case was brought to trial, that under our system as it has prevailed for several years, demurrers can, on notice, be brought up for argument in chambers. The rule prevailing in the United States Courts compelling an attorney filing a demurrer to certify that in his opinion it is well taken, might also be an effective remedy.

Respectfully,

JAMES H. HAWLEY,

Governor.

Boise, Idaho, February 20, 1911.

Morgan moved that the further consideration of House Bill No. 208 be made a special order for 3 p. m.

Seconded by Crow.

Motion carried.

By unanimous consent, House returned to the Ninth Order of Business.

Galloway moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that Senate Bill No. 60 be read the first and second times by title and the third time at length, section by section, and be put upon its final passage.

Seconded by Johnson.

The question being on the suspension of the rules, roll was called, with the following result:

Ayes—Allred, Arthur, Baldridge, Bell, Berry, Black, Bower, Bradley, Burrell, Ceaser, Crow, Davis, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Hammer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Kerby, Morgan, Nelson, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 52. Ayes, 52. Nays, none. Absent, not voting, 7.

And so the rules were suspended.

SENATE BILL NO. 60, BY HORNIBROOK AND ECKERT, was then read first and second time by title and third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Bell, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Hammer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Jacobs, Jayne, Jenson, Johnson, Johnston, Kerby, Morgan, Nelson, Nihart, Oakes, Parker, Pincock, Sanborn, Sorenson, Stephens, Strode, Taylor, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None

Total number of votes, 48. Ayes, 48. Nays, none. Absent, not voting, 11.

And so the bill passed, title was approved, and Senate Bill No. 60 was ordered transmitted to the Senate.

Friend moved that the House reconsider the vote by which House Bill No. 187 was recommitted to the Committee of the Whole.

Seconded by Davis.

Davis moved a call of the House.

Seconded by Crow.

Motion carried.

Roll call showed all members present, except Berry, Edgington, Leaf, McCabe, Nielsen and Terrell.

Sergeant-at-Arms was instructed to bring the absent members in.

Sergeant-at-Arms reported that he was unable to find any of the absent members.

Morgan moved that further proceedings under the Call be dispensed with.

Seconded by Kerby.

Motion carried.

Wilson moved that House adjourn until 2:30 p. m.

Seconded by Nihart.

Motion lost.

The question then was on the motion by Friend to reconsider House Bill No. 187.

Motion carried.

Moved by Davis and seconded by Crow that House Bill No. 187 be made a special order for this hour.

Motion carried.

Morgan moved that House adjourn until 2:30 this afternoon. Seconded by Eckles. Lost.

The question was upon making House Bill No. 187 a special order for this time. Motion carried.

The question being, "Shall House Bill 187 pass?" roll was called with the following result:

Ayes—Allred, Arthur, Bell, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eimers, Farmin, Featherstone, Friend, Gibson, Hammer, Hellekson, Hendricks, Hill, Hutton, Jayne, Johnson, Johnston, Jones, Kerby, Nielsen, Nihart, Oakes, Pincock, Schorn, Strode, Taylor, Thompson, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Eckles, Galloway, Holmberg, Jacobs, Jenson, Morgan, Nelson, Parker, Sorenson, Stephens, Walker.

Total number of votes, 50. Ayes, 39. Nays, 11. Absent, not voting, 9.

And so the bill passed, title was approved, and House Bill No. 187 was ordered transmitted to the Senate.

By unanimous consent House returned to the Tenth Order of Business.

Introduction of House Bills, Concurrent Resolutions and Joint Memorials.

The unanimous consent of the House was given for the introduction of the following bills:

H. B. NO. 434, BY STATE AFFAIRS COMMITTEE.

An Act to amend Section 6850 of the Revised Codes of the State of Idaho prohibiting gambling, and to provide penalty therefor.

H. B. NO. 435, BY COMMITTEE ON APPROPRIATIONS

(Substitute for House Bill No. 44.)

An Act providing for the issuance and sale of State bonds in the sum of Seven Hundred Fifty Thousand Dollars (\$750,000), and appropriating the proceeds thereof to the completion of the construction of the central section of the Capitol Building at Boise, Idaho, and the furnishing of the same and providing for the levy of a tax to pay the principal and interest of said bonds; and declaring an emergency.

H. B. NO. 436, BY COMMITTEE ON MEDICINE, SURGERY AND PHARMACY.

An Act authorizing a tax levy of one-half ($\frac{1}{2}$) of a mill on the dollar per annum for purposes of the deaf, dumb and blind school at Gooding; directing the including of the amount thereof in the general appropriation bill, and authorizing a similar levy and appropriation until this Act is repealed; and requiring the Governor's approval of certain expenditures.

H. B. No. 437, BY HANMER.

An Act amending Sections 2659 of the Revised Codes of Idaho relating to the time of residence in Idaho prerequisite to the commencement of an action for divorce.

First Reading of House Bills, Concurrent Resolutions and Joint Memorials.

The following House Bills were read first time in full:

H. B. No. 434, by State Affairs Committee.

H. B. No. 435, by Committee on Appropriations.

H. B. No. 436, by Committee on Medicine, Surgery and Pharmacy.

H. B. No. 437, by Hanmer.

Moved by Walker and seconded by Morgan that House adjourn until 2:30 p. m.

Motion carried.

House adjourned.

Afternoon Session.

House met pursuant to adjournment. Mr. Speaker in the chair.

Roll call showed all members present, except Glennon and Hyde, who were excused.

House Bills Signed by Speaker.

Speaker, in the presence of the House signed House Bills Nos. 210, 182, 207, 157, 40, 95 and 133.

Special Order.

The hour of 2 o'clock having arrived, consideration of Senate Bill No. 151, which had been made a special order for that time, was taken up.

Moved by Edgington, and seconded by Davis, that Senate Bill No. 151 be referred to the Judiciary Committee.

Motion carried.

Reports of Standing Committees.

The Judiciary Committee submitted the following report:

Mr. Speaker:

The Judiciary Committee having had under consideration House Bill No. 98, by Glennon, recommend the following amendment:

In Section 1, line 29, after the prior amendment, and before the word "whereupon" insert the following:

"The court shall charge all costs arising under said action to the party bringing the same unless the plaintiff or defendant personally shall be guilty of mismanagement or bad faith in the action or defense."

FEATHERSTONE,

Chairman.

Report adopted.

The Committee on Engrossed and Enrolled Bills submitted the following report:

Mr. Speaker:

We, the Committee on Engrossed and Enrolled Bills, beg to report House Bills Nos. 210, 207, 133, 182, 40, 95, 157 properly enrolled.

BOWER,

Acting Chairman.

Mr. Speaker:

We, your Committee on Engrossed and Enrolled Bills, report House Bills Nos. 401, 320, 351, 274, 360, 399, and House Joint Resolution No. 16 correctly engrossed.

BOWER,

Acting Chairman

Report accepted, and House Bills Nos. 401, 320, 351, 274, 360, 399, and House Joint Resolution No. 16 filed for third reading.

The Committee on Revenue and Taxation submitted the following report:

Mr. Speaker:

We, your Committee on Revenue and Taxation, having had under consideration House Bills Nos. 12, 48, 129, 164, 224, 239, 272, 314 and 349, beg leave to report as follows:

That House Bill No. 12, by Sanborn, be reported back to the House without recommendations.

That House Bill No. 48, by Hill, be returned to the House for the purpose of being withdrawn.

That House Bill No. 129, by Burrell and Dunning, be amended, as follows:

In line 5, Section 3, change the words and figures "twenty (20) cents" to read "ten (10) cents" and that as so amended the bill do pass.

That House Bill No. 164, by Jayne and Dunning, be returned to the House without recommendations and be referred to Committee of the Whole.

That House Bill No. 239, by Galloway, do not pass.

That House Bill No. 272 be reported back to the House without recommendations and be referred to the Committee of the Whole.

That House Bill No. 314, by Johnson and Eimers, be amended as follows:

Strike out of the printed bill, in line 27, the word "provided" and all of lines 28, 29, 30 and 31 and that the bill, as so amended, do pass.

That House Bill No. 349, by Bradley, do pass.

FARMIN,

Chairman.

Report accepted and House Bill No. 349 referred to the Engrossing Committee and ordered engrossed.

Unanimous consent was given Hill to withdraw House Bill No. 48.

The Committee on Ways and Means submitted the following report:

Mr. Speaker:

We, your Committee on Ways and Means, respectfully report that we have had under consideration House Bill No. 151 and House Bill No. 152. We respectfully recommend that House Bill No. 152 be placed on the General Calendar and be acted on in conjunction with House Bill No. 260, by Crow. These bills are very similar in intent and purpose, and for those reasons we advise their being considered together.

House Bill No. 151, we recommend that in line 4 of the title, preceding the word "corporations," that the word "express" be inserted. that the words "telephone companies or corporations, and telegraph companies or corporations," be stricken from lines 4 and 5 of the title, also the comma following the word "corporations" at the beginning of line 4. That in lines 9 and 10 of the title the words "a telephone company and a telegraph company" be stricken out; also the comma following the words "express company," in line 9 of said title. That in line 1, Section 1, before the word "corporations," the word "express" be inserted. That in line 2 of Section 1, the words and figures "two and one-half (2 1-2)" be inserted in place of the

words and figures "three (3)." That following the word "State," in line 3, Section 1, and continuing through and including the word "State," in line 7, be stricken out. Beginning with the word "that" at the end of line 5, Section 3, and continuing through line 11 of the same section be stricken out.

Respectfully submitted,

EDGINGTON,
Chairman.

Report accepted.

The Committee on Revenue and Taxation submitted the following report.

Majority Report.

Mr. Speaker:

We, your Committee on Revenue and Taxation, having had under consideration House Bills Nos. 146, by Dunning, and 170, by Dunning and Hill, recommend that the same do not pass; also that House Joint Resolution No. 9, by Dunning, do not pass.

FARMIN,
Chairman.

Minority Report.

Mr. Speaker:

We, the undersigned members of Revenue and Taxation, having had under consideration House Bills Nos. 146, by Dunning, and 170, by Dunning and Hill, recommend that the same do pass, also that House Joint Resolution No. 9, by Jayne and Dunning, and recommend that it do pass.

GEO. E. HILL,
DOW DUNNING,
J. J. WOOD

Davis moved the adoption of the majority report.

Seconded.

Hill moved the adoption of the minority report.

Seconded.

Morgan moved, as a substitute for all pending motions, that the bills with both the reports be referred to the Committee of the Whole.

Motion carried.

The Committee on Printing submitted the following report:

Mr. Speaker:

Your Committee on Printing herewith report that we have had correctly printed and distributed the following: House Bills Nos. 338, 344, 395, 401 and 409; amendments to House Bill No. 156; House Joint Resolutions Nos. 22 and 23; and the following bill has been read by copy, corrected and sent to the printer: House Bill No. 434.

JONES,
Chairman.

Report accepted.

The Committee on Military and Indian Affairs submitted the following report:

Mr. Speaker:

We, your Committee on Military and Indian Affairs, beg leave to report that we have had under consideration H. B. No. 426 by Oakes and report the same back to the House with the recommendation that it do not pass; also House Bill No. 392 by Bell, Black, Bradley, Eckles, Edgington, Galloway, Gibson, Hellekson, Jensen, Johnston, Nelson, and Thompson and report the same back to the House with the recommendation that it do pass.

DAVIS,
Chairman.

Report adopted and House Bill No. 392 referred to Engrossing Committee and ordered engrossed.

The Judiciary Committee submitted the following report:

Mr. Speaker:

We, your Committee on Judiciary, respectfully report that we have had under consideration Senate Bills No. 104, 110, and recommend that they do pass.

FEATHERSTONE,

Chairman.

Report adopted and Senate Bills Nos. 104 and 110 filed for third reading.

The Committee on Revenue and Taxation submitted the following report:

Mr. Speaker:

We, your Committee on Revenue and Taxation having had under consideration House Bill No. 224, beg leave to report that the same do pass.

FARMIN,

Chairman.

Report adopted and House Bill No. 224 referred to Engrossing Committee and ordered engrossed.

Messages From the Senate.

The following message was received from the Senate:

Senate Chamber, Feb. 20, 1911.

Mr. Speaker:

I have the honor to transmit herewith House Bill No. 53, which has passed the Senate.

Also Senate Bills Nos. 60 and 136, and Senate Joint Resolutions Nos. 12 and 13, and House Bill No. 433, which have passed the Senate.

CHARLES J. LISLE,

Assistant Secretary of Senate.

Third reading of House Bills, Concurrent Resolutions and Joint Memorials, and Final Action Thereon.

House Bill No. 197, by Baldrige, was read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Jacobs, Jayne, Jenson, Johnson, Jones, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock Sanborn, Sorenson, Stephens, Strobe, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 53. Ayes, 53. Nays, 0. Absent not voting, 6.

And so the bill passed, title approved, and House Bill No. 197 was ordered transmitted to the Senate.

Special Order.

The hour of 2:30 having arrived, the Speaker announced that House Bill No. 208, which had been vetoed by the Governor, and made a special order for this time would be considered.

The question being "Shall the bill pass?" over the Governor's veto, roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Jacobs, Jenson, Jones, Morgan, Mc-

Cabe, Nielsen, Nihart, Oakes, Sanborn, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Dunning, Hutton, Jayne, Johnson, Kerby, Leaf, Nelson, Parker, Stephens.

Total number of votes, 51. Ayes, 42 Nays, 9. Absent, not voting, 8.

And so the bill was passed over the Governor's veto and was ordered transmitted to the Senate.

Unanimous consent was given to return to the Seventh Order of Business.

Reports of Standing Committees.

The Committee on Privileges and Elections submitted the following report.

Mr. Speaker:

Your Committee on Privileges and Elections, having had under consideration House Joint Resolutions Nos. 4, 5, 6; 17, 18 and 19, respectfully beg to report that we are unanimously in favor of direct legislation and request that House Joint Resolutions 4, 5, 6, 17, 18 and 19 be placed on the General Calendar.

BRADLEY,
Chairman.

Report accepted.

The Committee on County Lines and Boundaries submitted the following reports:

Majority Report.

Mr. Speaker:

We, the majority members of the County Lines and Boundaries Committee, having had under consideration House Bill No. 344, by Jensen, beg leave to report that we recommend that the bill do pass.

JOHNSON,
PARKER,
BURRELL,
JENSON,
JOHNSTON,
Chairman.

Minority Report.

Mr. Speaker:

We, the minority members of the County Lines and Boundaries Committee, having had under consideration House Bill No. 344, by Jensen, beg leave to report that we recommend that the bill do not pass.

ARTHUR,
EIMERS.

Reports accepted.

Majority Report.

Mr. Speaker:

We, your Committee on County Lines and Boundaries, having had under consideration House Bill No. 345, by Gibson, beg leave to report that we recommend that the bill do pass.

JOHNSON,
PARKER,
BURRELL,
JENSON,
JOHNSTON,
Chairman.

Minority Report.

Mr. Speaker:

We, your Committee on County Lines and Boundaries, having had

under consideration House Bill No. 345, by Gibson, beg leave to report that we recommend that the bill do not pass.

ARTHUR,
EIMERS.

Report accepted.

Mr. Speaker:

We, your Committee on County Lines and Boundaries, having had under consideration House Bill No. 343, by Hill, beg leave to report that we recommend that the bill do not pass.

JOHNSTON,
Chairman.

Report adopted.

The Committee on Judiciary submitted the following report:

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration House Bill No. 199, by Black, heretofore vetoed by the Governor, also Governor's message regarding the same, return said bill and message to the House, together with substitute bill embodying amendments suggested by the Governor in said message.

The Judiciary Committee, also having had under consideration House Bill No. 83, by Jayne, recommend that it be amended as follows:

In line 1, Section 1, strike out the words, "Be it enacted by the Legislature of the State of Idaho."

In line 14 of Section 3, strike out the words "and to enforce the ordinance regulating the same."

In line 11 of Section 4, strike out the word "shall" and substitute the word "may."

In line 4 of Section 6, strike out the words "Board of Health or proper authorities" and substitute the words "Board of Examiners of Plumbers."

And that said bill do pass as amended.

FEATHERSTONE,
Chairman.

Report adopted.

Introduction of Bills, Concurrent Resolutions and Joint Memorials.

The following bills were introduced:

H. B. NO. 438. BY JUDICIARY COMMITTEE (SUBSTITUTE FOR H. B. No. 199).

An Act to amend Section 4310c of the Code of Civil Procedure, Revised Codes of Idaho.

H. B. NO. 439, BY COMMITTEE ON CITIES, TOWNS AND OTHER MUNICIPAL CORPORATIONS.

An Act amending Section 2265 of the Idaho Revised Codes relating to collection of municipal taxes.

H. J. M. NO. 10, BY KERBY.

A Joint Memorial petitioning Congress that the President of the United States be and hereby is requested immediately after the fourth day of March to assemble Congress in extraordinary session to the end that the will of the people as expressed in the last general election may be obeyed, the tariff reduced and such other legislation enacted as will relieve the people of the United States from wholly unnecessary and burdensome exactions.

By unanimous consent House returned to Ninth Order of Business.

Motions and Resolutions.

Dunning moved that all rules of the House interfering with the

immediate passage of the memorial be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that House Joint Memorial No. 10 be read the first and second times by title and the third time at length, section by section, and be put upon its final passage.

Seconded by Walker.

The question being, "Shall the rules be suspended?" roll was called with the following result:

Ayes—Dunning, Eckles, Edgington, Galloway, Gibson, Hellekson, Hendricks, Hill, Holmberg, Hutton, Jayne, Jenson, Johnson, Kerby, Leaf, Morgan, Nelson, Parker, Pincock, Sanborn, Sorenson, Stephens, Strode, Terrell, Walker, Wood.

Nays—Allred, Arthur, Baldridge, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Eimers, Farmin, Featherstone, Friend, Hanmer, Jacobs, Johnston, Jones, McCabe, Nielsen, Nihart, Oakes, Taylor, Thompson, Warnick, Wilson, Mr. Speaker.

Total number of votes, 56. Ayes, 26. Nays, 30. Absent not voting, 3.

And so the motion, not having received the necessary two-thirds vote was declared lost.

Galloway moved that all rules of the House interfering with the immediate passage of Senate Bill 150 be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that Senate Bill No. 150 be read the first and second times by title and the third time at length, section by section, and be put upon its final passage.

Seconded by Kerby

After discussion, Galloway withdrew motion.

First Reading of House Bills, Concurrent Resolutions and Joint Memorials.

The following bills were read first time in full:

H. B. No. 433, by Judiciary Committee.

H. B. No. 439 by Committee on Cities, Towns and Other Municipal Corporations.

H. J. R. No. 10, by Kerby.

Third Reading of House Bills, Concurrent Resolutions and Joint Memorials and Final Action Thereon.

HOUSE BILL NO. 153, BY THE JUDICIARY COMMITTEE was read a third time at length, section by section for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes: Allred, Arthur, Baldridge, Bell, Berry, Black, Bradford, Burrell, Ceaser, Crow, Davis, Featherstone, Galloway, Hill, Jacobs, Johnston, Leaf, Morgan, McCabe, Nelson, Nihart, Sorenson, Taylor, Warnick.

Nays—Bower, Bradley, Dunning, Eckles, Eimers, Farmin, Friend, Gibson, Hellekson, Hendricks, Holmberg, Hutton, Jayne, Jenson, Johnson, Jones, Kerby, Nielsen, Oakes, Parker, Pincock, Sanborn, Stephens, Strode, Terrell, Thompson, Walker, Wilson, Wood, Mr. Speaker.

Total number of votes, 54. Ayes, 24. Nays, 30. Absent not voting, 5.

And so the bill not having received the necessary majority failed to pass

Report of Enrolling Committee.

Mr. Speaker:

We, your Committee on Engrossed and Enrolled Bills beg to report House Bill No. 433 properly enrolled.

BOWER,
Acting Chairman.

Speaker, in the presence of the House signed House Bill No. 433, HOUSE BILL NO 118 BY HENDRICKS (SUBSTITUTE FOR HOUSE BILL NO. 30), was read a third time at length, section by section for final action.

The question being "Shall the bill pass?" the roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Edgington, Eimers, Farmin, Galloway, Hellekson, Hendricks, Hill, Holmberg, Hutton, Jacobs, Jayne, Jenson, Johnson, Jones, Kerby, Leaf, Morgan, McCabe, Nihart, Oakes, Parker, Pincock, Sanborn, Sorenson, Stephens, Strode, Taylor, Terrell Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays: Featherstone, Nielsen.

Total number of votes, 48. Ayes, 46. Nays, 2. Absent not voting, 11.

And so the bill passed, title approved, and House Bill No. 118 was ordered transmitted to the Senate.

House Bill No. 336 BY BALDRIDGE was read a third time at length, section by section for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Hammer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Jacobs, Jayne, Jenson, Johnson, Jones, Kerby, Leaf, Morgan, McCabe, Nielsen, Nihart, Oakes, Parker, Pincock, Sorenson, Stephens, Strode, Taylor, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 47. Ayes, 47. Nays, 0. Absent, not voting, 12.

And so the bill passed, title was approved, and House Bill No. 336 was ordered transmitted to the Senate.

HOUSE BILL NO. 202, BY HILL, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" the roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bradley, Burrell, Ceaser, Crow, Davis, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Hammer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nielsen, Nihart, Oakes, Parker, Pincock, Sorenson, Stephens, Strode, Taylor, Thompson, Walker, Warnick, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 48. Ayes, 48. Nays, none. Absent, not voting, 11.

And so the bill passed, title was approved, and House Bill No. 202 was ordered transmitted to the Senate.

HOUSE BILL NO. 177, BY MORGAN, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradley, Burrell, Ceaser, Crow, Davis, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Hammer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Jacobs, Jayne, Johnson, Johnston, Jones, Leaf, Morgan, McCabe, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 48. Ayes, 48. Nays, 0. Absent, not voting, 11.

And so the bill passed, title was approved, and House Bill No. 177 was ordered transmitted to the Senate.

HOUSE BILL NO. 128, BY JACOBS, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldridge, Bell, Berry, Black, Bower, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Jacobs, Jayne, Jenson, Johnston, Johnston, Jones, Kerby, Leaf, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Morgan, Walker.

Total number of votes, 54. Ayes, 52. Nays, 2. Absent, not voting, 5.

And so the bill passed, title was approved, and House Bill No. 128 was ordered transmitted to the Senate.

HOUSE BILL NO. 156, BY DAVIS AND BELL, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldridge, Bell, Berry, Black, Bower, Bradley, Burrell, Ceaser, Crow, Davis, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Hanmer, Hellekson, Holmberg, Hutton, Jacobs, Jayne, Johnston, Jones, Leaf, Morgan, McCabe, Nielsen, Nihart, Oakes, Parker, Pincock, Sorenson, Stephens, Strode, Taylor Thompson, Walker, Wilson, Wood, Mr. Speaker.

Nays—Sanborn, Warnick.

Total number of votes, 47. Ayes, 45. Nays, 2. Absent, not voting, 12.

And so the bill passed, title was approved, and House Bill No. 156 was ordered transmitted to the Senate.

House In Committee of the Whole.

On motion, House resolved itself into Committee of the Whole for consideration of the General Calendar. Black in the chair.

House in Regular Session.

The Committee of the Whole submitted the following report:
Mr. Speaker

The Committee of the Whole has had under consideration the General Calendar, and make the following recommendations:

That House Bill No. 112, by Smith, be referred to the Committee on Judiciary for public hearing.

That the amendments by Committee on Privileges and Elections to House Joint Resolution No. 15 be adopted, and that further consideration of the bill be postponed.

That House Bill No. 277, by Johnston, be amended as follows:

In line 4, Section 1, after the word "follows" strike out E $\frac{1}{2}$ of SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 2, and in line 6 of the same section change the figures "5963" to "3963," and that as thus amended the bill do pass.

BLACK,
Chairman.

Moved by Black, and seconded by Johnston, that the report of the Committee of the Whole be adopted.

Motion carried.

Message From the Governor.

The following message was received from the Governor:

Boise, February 20, 1911.

Mr. Speaker and Gentlemen of the House of Representatives:

I have this day approved House Bill No. 433, by Edgington. An Act to provide for the payment of officers, members and employes and for the general expenses of the Eleventh Session of the Legislature of the State of Idaho; and declaring an emergency whereby this Act shall go into effect immediately upon its approval

Respectfully,

JAMES H. HAWLEY,

Governor

Report of Engrossing Committee.

Mr. Speaker:

We, your Committee on Engrossed and Enrolled Bills, beg leave to report House Bills Nos. 422, 412, 414 and 401 correctly engrossed.

BOWER,

Acting Chairman.

By unanimous consent House returned to the Tenth Order of Business.

Introduction of Bills, Concurrent Resolutions and Joint Memorials.

Unanimous consent was given for the introduction of the following bills.

H. B. No. 440, BY COMMITTEE ON STATE AFFAIRS.

An Act creating a commission to have charge of installing and maintaining an exhibit of the products and resources of the State of Idaho at the Panama-Pacific International Exposition; and appropriating money to pay the expenses thereof; and declaring an emergency.

H. B. NO. 441, BY COMMITTEE ON ROADS, BRIDGES AND FERRIES.

An Act to amend an Act entitled, "An Act to provide for the organization and government of highway districts, and construction, improvement and maintenance of highways therein and a revenue system therefor; for the appointment and election of highway boards and for other district officers, and defining their duties; for the apportionment among municipalities, the highway district and the county of the proceeds of road and bridge county taxes; and defining the relation of highway districts to the county and to municipalities included within such districts; repealing acts inconsistent herewith; and declaring an emergency," approved February . . . , 1911; and to provide that the revenues to be raised by taxation to enable highway districts to pay the principal and interest of bonds may be raised in part by special taxation therefor upon the land adjoining the roads constructed with the proceeds of such bonds; and to provide the system and procedure therefor.

H. B. NO. 442, BY COMMITTEE ON ROADS, BRIDGES AND FERRIES.

An Act to amend Article 6 of Chapter 2 of Title 11 of Part first of the Revised Codes by adding thereto new Sections to be known as Sections 1972a, 1972b, 1972c, 1972d, 1972e, 1972f, 1972g, 1972h, 1972i, 1972j and 1972k; and to provide that the revenues to be raised by taxation to enable counties to pay the principal and interest of bonds issued for road purposes may be raised in part by special taxation therefor upon the land adjoining the roads constructed with the proceeds of such bonds; and to provide the system and procedure therefor.

First Reading of House Bills, Concurrent Resolutions and Joint Memorials.

The following House Bills were read first time in full:

H B No. 440, by Committee on State Affairs.

H. B. No. 441, by Committee on Roads, Bridges and Ferries

H B. No 442, by Committee on Roads, Bridges and Ferries.

Message From the Senate

Mr. Speaker

I have the honor to transmit herewith Senate Bills Nos. 56, 88, 140, 157, 134, 120, and 149 which have passed the Senate.

Also House Bill No 209 which has passed the Senate

CHARLES J LISLE,

Assistant Secretary of Senate.

Message received and House Bill No 209 ordered enrolled. Senate Bills Nos. 56, 88, 140, 157, 134, 120, and 149 filed for first reading.

Moved by Hanmer and seconded by Bell that House adjourn until 9 a. m: Tuesday.

Motion carried

House adjourned.

CHAS. D. STOREY,

Speaker.

JAMES H. WALLIS,

Chief Clerk

TUESDAY, FIFTY-FIRST DAY, FEBRUARY 21, 1911.**Morning Session.**

Hall of the House of Representatives,
Boise, Idaho, February 21, 1911.

House met pursuant to adjournment, Mr. Speaker in the chair

Prayer was offered by the Chaplain

Roll call showed all members present except Glennon, who was excused.

Presentation of Petitions and Communications.

Bradley presented a petition signed by citizens of Nampa, protesting against the annexation of Nampa to Ada County.

Reports of Standing Committees.

The Committee on Engrossed and Enrolled Bills submitted the following report:

Mr. Speaker.

We, your Committee on Engrossed and Enrolled Bills, report House Bills Nos. 344, 345, 278, 385, 403, 356, 395 and 349 correctly engrossed.

BOWER,

Acting Chairman.

Report received and House Bill Nos 344, 345, 278, 385, 403, 356, 395 and 349 filed for third reading.

The Committee on Private Corporations submitted the following report:

Mr. Speaker.

We, your Committee on Private Corporations, beg leave to report that we have had under consideration House Bill No. 359, by Oakes (substitute for House Bill No 265), and recommend that the same do pass.

BRADFORD,

Chairman.

Report adopted and House Bill No. 359 referred to the Engrossing Committee and ordered engrossed.

The Committee on Printing submitted the following report:

Mr. Speaker:

We, your Committee on Printing, herewith report that we have had correctly printed and distributed the following:

House Bills Nos. 344, 345, 399, 410, 411, 412, 413, 414, 416, 417 and 418.

The following have been read by copy, corrected and sent to the printer:

House Bills Nos. 435, 436, 437, 438, 439, 440, 441 and 442. House Joint Memorial No. 10.

JONES,
Chairman

The Committee on Public Health submitted the following report:
Mr. Speaker:

Your Committee on Public Health, to whom was referred House Bill No. 171, beg leave to report as follows:

That there be inserted in line 31 of Section 1, after "Kansas," the following, "California and Colorado."

That there be inserted in line 39 after "Kansas" in said Section, the following, "California."

That there be inserted in line 41 in said Section 1, after "Kansas" the following, "California."

That there be inserted in line 42 in said Section 1, after "Kansas" the following "California."

That Sections 6 and 7 of said Bill be stricken out, and that the following section, to be known as Section 6, be inserted in lieu thereof:

"Section 6. The term white lead in oil as used in this Act, shall mean pure carbonate of lead, ground in pure linseed oil, excluding all other pigments."

In line 1, Section 8, strike out "and 7" and insert the word "and" between the figures "5 and 6."

Change the numbers of Sections 8 to 13 inclusive, to read from Section 7 to Section 12 inclusive

Change the figure "8" in line 2, Section 9, to "6."

CROW,
Chairman.

Report adopted.

The Judiciary Committee submitted the following report:

Mr. Speaker:

Your Judiciary Committee having had under consideration House Bill No. 379, by Hellekson and Morgan, respectfully report and recommend that the title of said bill be amended to read as follows:

"An Act to amend Section 1197 of the Political Code of the Revised Codes of the State of Idaho, and to repeal Sections 1198, 1199 and 1200 of the Political Code of the Revised Codes of the State of Idaho."

That said bill be further amended to read as follows:

"That Section 1197 of the Political Code of the Revised Codes of the State of Idaho be, and the same is, hereby amended to read as follows:

Sec 1197. It is hereby made the duty of the Sanitary Board to exercise a general supervision over the subject of the killing and destruction of wolfs, coyotes, wild cats, cougars and such other wild animals as are in the habit of preying upon and destroying sheep, calves, colts, pigs, poultry and other domestic animals and fowls and wild game, and to devise and put into operation such methods and means as will best secure and attain the object of exterminating such wild, destructive and pestiferous animals * * *

Sec. 2. That Sections 1198, 1199 and 1200 of the Political Code of

the Revised Codes of the State of Idaho be, and the same is, hereby repealed "

And that as so amended the bill do pass.

FEATHERSTONE,
Chairman.

Report adopted

Second Reading and Reference of House Bills.

The following House Bills were read a second time in full:

H. B. No. 434, by State Affairs Committee.

H. B. No. 435, by Appropriations Committee.

H. B. No. 436, by Committee on Medicine, Surgery and Pharmacy.

H. B. No. 437, by Hammer

H. B. No. 438, by Judiciary Committee (substitute for H. B. No 199).

H. B. No. 439, by Committee on Cities, Towns and Other Municipal Corporations.

H. B. No. 440, by State Affairs Committee.

H. B. No. 441, by Committee on Roads, Bridges and Ferries.

H. B. No. 442, by Committee on Roads, Bridges and Ferries.

Reference of House Bills.

The Speaker referred the following House Bills to their respective committees:

H. B. No. 434, Judiciary.

H. B. No. 435, Appropriations

H. B. No. 436, Appropriations.

H. B. No. 437, Judiciary

H. B. No. 438, Judiciary

H. B. No. 439, Cities, Towns and Other Municipal Corporations.

H. B. No. 440, State Affairs.

H. B. No. 441, Roads, Bridges and Ferries

H. B. No. 442, Roads, Bridges and Ferries.

Second Reading of Printed Amendments to House Bills.

Senate amendments to the following House Bills were read second time in full

H. B. No. 71.

Unanimous consent was given to advance to the Eighteenth Order of Business

First Reading of Senate Bills, Joint Resolutions and Memorials.

The following Senate Bills were read first time in full:

S. B. No. 120, by Gooding and Shawhan.

S. B. No. 149 (substitute for H. B. No. 49), by Gooding.

S. B. No. 157, by Yates.

S. B. No. 140, by Poole.

S. B. No. 89, by Shawhan (by request).

S. B. No. 59, by Fisher.

S. B. No. 138, by Lee and Coates.

S. B. No. 134, by Whitcomb.

S. J. R. No. 12, by Whitcomb

S. J. R. No. 13, by Whitcomb.

Second Reading and Reference of Senate Bills, Joint Resolutions and Memorials.

The following Senate Bills were read a second time in full:

S. B. No. 103, by Potts.

S. B. No. 76, by Judiciary Committee.

S. B. No. 82, by St. Clair.

S. B. No. 85, by Judiciary Committee.

S. B. No. 94, by Preston

S. B. No. 122, by Shawhan.
 S. B. No. 125, by Williams.
 S. C. R. No. 6, by Paguire.
 S. B. No. 87, by Committee on Mines and Mining.
 S. B. No. 150, by Freehafer.
 S. B. No. 96, by Whitecomb and Macbeth.
 S. B. No. 91, by Judiciary Committee.
 S. B. No. 92, by Judiciary Committee.
 S. B. No. 108, by Macbeth and Kerns.
 S. B. No. 91, by Judiciary Committee.
 S. B. No. 29, by Kerns and Potts.
 S. B. No. 74, by Freehafer.
 S. B. No. 129, by Judiciary Committee.
 S. B. No. 124, by Lee (by request).

Reference of Senate Bills.

Speaker referred the following Senate Bills to their respective committees:

S. B. No. 103, Judiciary.
 S. B. No. 76, Judiciary.
 S. B. No. 82, State Affairs.
 S. B. No. 85, Judiciary.
 S. B. No. 94, Judiciary.
 S. B. No. 122, Roads, Bridges and Ferries.
 S. B. No. 125, Judiciary.
 S. C. R. No. 6, Privileges and Elections.
 S. B. No. 87, Judiciary.
 S. B. No. 150, Roads, Bridges and Ferries.
 S. B. No. 91, Judiciary.
 S. B. No. 92, Judiciary.
 S. B. No. 108, State Affairs.
 S. B. No. 131, Judiciary.
 S. B. No. 29, Judiciary.
 S. B. No. 74, County Lines and Boundaries.
 S. B. No. 129, Judiciary.
 S. P. No. 194, Live Stock.
 S. B. No. 90, Roads, Bridges and Ferries.

By unanimous consent House returned to the 11th order of business.

Third Reading of House Bills, Joint Resolutions and Memorials and Final Action Thereon.

HOUSE BILL NO. 319 BY MORGAN, WOOD AND JENSON was read a third time, at length, section by section for final action.

Upon request, House Bill No. 320 was also read, that the bills might be compared.

Featherstone moved, seconded by Burrell, that House Bill No. 319 be indefinitely postponed.

Hill moved as a substitute motion that House proceed with the roll call on House Bill No. 319. Seconded by Walker.

Motion carried.

The question being, "Shall House Bill 319 pass?" roll was called with the following result:

Ayes: Dunning, Eckles, Elmers, Galloway, Gibson, Hellekson, Hendricks, Hill, Holmberg, Hutton, Jacobs, Jayne, Jenson, Johnson, Jones, Kerby, Leaf, Morgan, Nelson, Oakes, Pincock, Sorenson, Stephens, Terrell, Walker, Warnick, Wood.

Nays: Allred, Arthur, Baldrige, Bell, Berry Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Edgington, Farmin, Featherstone, Friend, Hammer, McCabe, Nielsen, Nihart, Parker, Sanborn, Smith, Strode, Taylor, Thompson, Wilson, Mr. Speaker.

Total number of votes, 56. Ayes, 27. Nays, 29. Absent not voting, 3.

And so House Bill No 319, not having received the necessary majority failed to pass the House.

On motion by Dunning Hon. Henry George, Jr., of New York City, was invited to address the Senate and House of Representatives in the Hall of the House of Representatives.

At the close of the address by Mr. George, Morgan moved that the joint session tender to Mr. George a vote of thanks. Motion carried unanimously.

Message From the Governor.

The following message was received from the Governor:

Boise, Idaho, February 21, 1911.

To the Senate and House of Representatives:

Mr. Speaker and Gentlemen of the House:

Bills appropriating considerable amounts of money for the purpose of internal improvements in the nature of bridges and roads, have already been submitted to me and others of a like character are still pending before the Legislature with every prospect of being favorably considered. As I have heretofore stated to your Honorable Body, I am heartily in favor of assisting in a proper way in enterprises of this kind because they upbuild the state and assist in the development of our material resources, but I again call your attention to the fact that our tax rate is high and that the limit of our bonded indebtedness for such purposes has nearly been reached. I urge, therefore, that you give the most careful attention and earnest consideration to all such measures and, unless they appear to you absolutely worthy and deserving, not to consider their passage. I have heretofore called to your attention the advisability of local aid being given to any measures of this kind before assistance was rendered by the state. This to a great extent guarantees the good faith of those behind the project and shows that the people most interested are in earnest in their efforts to obtain the state's assistance. Before a road is built or a bridge constructed, either wholly or in part from moneys supplied by the state, there should be some provisions under which the state would not be responsible for the maintenance of such road or bridge. The local authorities should be called upon to maintain and repair whenever necessary. There should be mandatory provisions of the law requiring this, and, to prevent any future misunderstandings, I would suggest the immediate enactment of a general law providing that whenever money is appropriated by the state to construct bridges or roads in any county or counties in the state, the county commissioners of such county or counties be required, by resolution duly spread upon the minutes of the board, to accept the responsibility of maintaining and repairing such roads or bridges after the construction thereof, and that no moneys shall be expended in any shape or form upon the proposed bridge or road until such resolution has been spread upon the minutes of such board of county commissioners. It would be better, perhaps, in each individual bill making such appropriation, to have had a provision of this kind but such provisions have not heretofore been incorporated in the several bills and the general law proposed would supply such deficiency.

Fixing Bonding Limit.

Even if I incur your disapproval by so doing and reiterate a matter several times before called to your attention, I feel it my duty to again mention to you the necessity of a constitutional amendment limiting the amount of the bonded indebtedness of the state. Nothing tends to retard the growth and prosperity of a state, or any of its political subdivisions, so much as an excessive tax rate. To the intending settler or investor the fact of a low tax rate ever appeals, and in many cases controls his actions. The investor especially looks to the assess-

ment roll and to the tax rate before investing. The intending settler generally does the same. Our assessment rolls should indicate the fair value of all our taxable property. This would necessarily decrease the tax rate because it costs the same amount of money to run the county and the state government whether the tax rolls of the state amount to a hundred million or a thousand million dollars. The excessive rate of taxation prevailing in every part of this state is caused by the valuations of the property in the respective counties running from fifteen to forty per cent of its true value. The only tangible reason that I have heard urged against the assessment at its true value of all taxable property is the fact that if so done a great increase in our bonded indebtedness would be permitted. Limit the bonded indebtedness of the state to a proper figure, and I have heretofore suggested two million dollars exclusive of the territorial indebtedness and capitol building bonds, as such proper figure, and you will take away the only excuse that can be given by county officers entrusted with our revenue affairs for not assessing property within the limits of their jurisdiction at its full value, which is the only proper method of so doing.

Tax For State Institutions,

I strongly urged you in my biennial message to make fixed provision for the state's institutions, and presented a number of reasons for such course that seemed pertinent. Consideration of the subject since the delivery of the message in question has confirmed my first impressions. There should be a fixed tax for the support of the state's institutions. The rate of taxation for this purpose can be fixed by the Legislature for a given number of years, or at a varying rate within limits dependent upon the assessment roll of the state. A fixed rate of so many mills on the dollar especially for the maintenance of our educational institutions, would relieve future legislative assemblies from great annoyance and would be of great benefit to the institutions themselves. While there is, perhaps, a constitutional question involved, the matter is of such importance that it should be carefully considered by the judiciary committee after full consultation with the attorney general.

State Industrial School.

The State Industrial Training School was first established eight years ago and its present name adopted in 1905. The Statute states. "The purpose of such school should be the care, protection, training and education of delinquent, dependent and neglected children, and to provide for the care, control and discharge of juvenile offenders."

While all of the objects sought to be attained by the establishment of this institution were and are proper and worthy, still the conduct of the institution has not been satisfactory. The care of delinquent, dependent and neglected children is provided for. In other words, it is expected the criminal boy or criminal girl shall be sent to this institution and in the same institution dependent and neglected children, not guilty of crime, also are to be cared for. Under Section 828 of the Revised Codes any boy or girl under the age of eighteen, sentenced to the State penitentiary, may, upon the application of such boy or girl, or his or her parent or guardian, be sent to the Industrial Training School and kept there until the age of majority. I suggest to you that such a condition of affairs is intolerable. Nearly all of the children in the school are dependent or neglected children, and it seems to have been the rule for several years whenever children in any part of the State have not been properly supported or cared for by their parents, to send them to this school, irrespective of such children having been charged with any criminal acts or moral delinquencies. We thus find the institution is chiefly maintained as a

children's home. The State has been imposed upon in many instances by children being sent there and maintained at the expense of the State, who should and could have been cared for by their natural guardians. It has been used as a boarding school for children whose parents or guardians have sought to rid themselves of the responsibility of their care and maintenance. I have no quarrel with the theory that the State should care for dependent children where it has been fully established, before a proper tribunal, that such children were not properly cared for by their parents or guardians. The wisest course to adopt with reference to children who are without natural guardians is to place them in an institution like that maintained by the Children's Home Finding Society. Children, however, sent to the State Industrial Training School are kept there at the State's expense for a great many years in many cases and there is an ever increasing expense growing out of its maintenance. No efforts, as I understand it, have been made, and I doubt whether efforts could successfully be made to provide for adoption of children sent to the Industrial School. In fact, the better the child the more unwilling the officers in charge seem to be to part with such child.

Leaving out of the question all consideration as to the propriety of maintaining the institution for the purposes above mentioned, it must be admitted, I think, that in an institution like this, whose inmates are nearly all children of good character and proper behavior, they should not be permitted to associate with children who are depraved and criminal. If a boy or girl has been sentenced to the penitentiary and from there sent, under the Statute cited, to this school; or if a boy or girl, on account of moral delinquencies and criminal conduct, has been sent there without trial for a crime, such boy or girl is placed in a position where he or she can corrupt the morals of all the children in the school. No good results can follow from such a system. It is unfair to the State and especially unfair to the really good children in the institution to have a vicious and criminal element inmates therein. Such a condition of affairs should not be allowed to exist for a moment and some provision should be made to correct this evil. The only saving grace about the whole affair is the fact that the criminal juvenile element sent there generally remain for but a short time, because escape is naturally easy in an institution where the great majority of the inmates must necessarily have free ingress and egress to and from it; but the presence of a vicious boy or girl, who has led a criminal life, for but a few days may corrupt the morals and ruin the lives of scores of children who, but for being contaminated by contact with the young criminal, would be moral and decent in the future.

It strikes me that simply calling your attention to this evil will impel you to take means to effect its cure.

Respectfully submitted.

JAMES H. HAWLEY,
Governor.

Messages From the Governor.

The following messages relative to House Bills Nos 157, 182, 40, 95 and 133 were received from the Governor.

Boise, Idaho, February 21, 1911.

Mr. Speaker and Gentlemen of the House of Representatives:

I have this day approved House Bill No. 157, by Black, Thompson, Leaf and Nelson. An Act providing for the issuance and sale of state bonds in the sum of nine thousand dollars (\$9,000), and appropriating the proceeds therefor for the construction of a draw bridge across the St. Joe River at St. Maries in Kootenai County, Idaho, etc.

Respectfully,

JAMES H. HAWLEY,
Governor.

Boise, Idaho, February 21, 1911.

Mr. Speaker and Gentlemen of the House of Representatives:

I have this day approved House Bill No. 132, by Terrell. An Act to amend Section 7860 of the Penal Code of the State of Idaho, providing that, in all criminal actions, defendants jointly charged may be tried separately or jointly, in the discretion of the court.

Respectfully,

JAMES H. HAWLEY,

Governor.

Boise, Idaho, February 21, 1911.

Mr. Speaker and Gentlemen of the House of Representatives:

I have this day approved House Bill No. 40, by Featherstone. An Act for the relief of Tony A. Tubbs for personal services rendered and moneys advanced the State of Idaho in furnishing goods, wares, merchandise and building material for use in feeding the prisoners during the Coeur d'Alene disturbance in 1899.

Respectfully,

JAMES H. HAWLEY,

Governor.

Boise, Idaho, February 21, 1911.

Mr. Speaker and Gentlemen of the House of Representatives:

I have this day approved House Bill No. 95, by Morgan (by request). An Act granting relief to the Boise Exploration and Mining Company of Boise, Idaho, and appropriating therefor the sum of ninety dollars.

Respectfully,

JAMES H. HAWLEY,

Governor.

Boise, Idaho, February 21, 1911.

Mr. Speaker and Gentlemen of the House of Representatives:

I have this day approved House Bill No. 133, by the Appropriation Committee. An Act appropriating the sum of two hundred and thirty-five dollars and fifty cents (\$235 50) for the relief of Jules Bonnenfant, Jean Baptiste Bonnenfant, Narcisse Bonnenfant and Mathilde Bonnenfant the heirs of Theodore Bonnenfant, deceased.

Respectfully,

JAMES H. HAWLEY,

Governor.

On motion of Morgan, House listened to an interesting address by Judge McCutcheon.

HOUSE BILL NO. 320, BY STRODE, NIELSEN, JOHNSTON, NI-HART, BRADLEY AND BERRY, was then read a third time at length, section by section, for final action.

Moved by Morgan and seconded by Eimers that House Bill No. 320 be referred to the Committee of the Whole.

Motion carried.

HOUSE BILL NO. 149, BY COMMITTEE ON PUBLIC HEALTH, read a third time at length, section by section, for final action.

Moved by Hellekson and seconded by Morgan that House Bill No. 149 be recommitted to the Committee of the Whole.

Motion lost.

After a discussion of the bill Hellekson again moved that the bill be recommitted to the Committee of the Whole.

Seconded by Hill.

Motion carried.

HOUSE BILL NO. 412, BY TERRELL (BY REQUEST), read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result.

Ayes—Allred, Arthur, Bell, Berry, Bower, Bradford, Bradley, Burrell, Crow, Davis, Dunnin, Eckles, Eimers, Farmin, Gibson, Hellekson, Hendricks, Hill, Holmberg, Hutton, Jayne, Jenson, Johnston, Jones, Leaf, Morgan, McCabe, Nielsen, Nihart, Oakes, Parker, Sanborn, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Friend.

Total number of votes, 43. Ayes, 42 Nays, 1 Absent, not voting, 16.

And so the bill passed, title was approved, and House Bill No 412 was ordered transmitted to the Senate.

HOUSE BILL NO 414, BY TERRELL (BY REQUEST), read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result.

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Ceaser, Crow, Davis, Dunning, Eckles, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Hellekson, Hendricks, Holmberg, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Leaf, Morgan, McCabe, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None

Total number of votes, 50 Ayes, 50 Nays, none. Absent, not voting, 9.

And so the bill passed, title was approved, and House Bill No. 414 was ordered transmitted to the Senate.

HOUSE BILL NO 399, BY JENSON, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" the roll was called with the following result.

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Bower, Bradford, Bradley, Ceaser, Crow, Davis, Eckles, Eimers, Farmin, Featherstone, Friend, Gibson, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Leaf, Morgan, McCabe, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 51. Ayes, 51 Nays, none. Absent, not voting, 8.

And so the bill passed, title was approved, and House Bill No. 399 was ordered transmitted to the Senate.

HOUSE BILL NO. 274, BY JENSON, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result.

Ayes—Allred, Arthur, Baldrige, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Hanmer, Hellekson, Hill Holmberg, Hutton, Jacobs, Jayne, Jenson, Johnson, Jones, Leaf, Morgan, McCabe, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 51. Ayes, 51. Nays, none. Absent, not voting, 8.

And so the bill passed, title was approved, and House Bill No. 274 was ordered transmitted to the Senate.

On request of Friend, House Bill No. 327 was referred to the Committee on Appropriations.

Unanimous consent was given to return to the Tenth Order of Business.

Introduction of Bills, Concurrent Resolutions and Joint Memorials.

By unanimous consent, the following bills were introduced:

H. B. No. 443, BY NIHART.

An Act to provide for the protection of the State in the appropriations made for the construction of bridges or roads in the various counties; to provide that the Board of County Commissioners in which said bridges or roads are constructed shall enter a resolution in their minutes; providing that the County shall be liable to repair all such roads or bridges; to provide that the State may recover the amount appropriated for the construction of a bridge or road where the county fails to repair or restore the same through an action at law; and to provide an emergency.

H. B. NO. 444, BY HANMER.

An Act to provide for the elimination of such secondary school work in the University of Idaho, the Academy at Pocatello, the Lewiston State Normal School and the Albion State Normal School as is contained in the State course of study for High Schools; and to provide for a minimum requirement for admission to State Normal Schools.

H. J. R. NO. 27, BY NIHART.

A joint resolution relating to the celebration of the one hundredth anniversary of the coming of the citizens of the United States to the Snake River valley.

First Reading of House Bills, Concurrent Resolutions and Joint Memorials.

The following bills were read first time in full:

H. B. No. 443, by Nihart.

H. B. No. 444, by Hanmer.

H. J. R. No. 27, by Nihart.

On motion of Walker, House took a recess until 2:30 this afternoon.

Afternoon Session.

House met pursuant to adjournment. Speaker in the Chair.

Roll call showed all members present, except Glennon, who was excused.

Message From the Governor.

The following message relative to House Bill No. 142 was received from the Governor:

Mr. Speaker and Gentlemen of the House of Representatives:

I herewith return to you without my approval House Bill No. 142 by Mr. Smith:

"An Act providing for and constituting a dairy, food and sanitary fund; providing for the disposition of all fees and licenses collected by the State Dairy, Food and Sanitary Inspector and his deputies; and providing for the disposition of all fines for violations of the dairy, food, sanitary and health laws of this state; fixing compensation of the State Dairy, Food and Sanitary Inspector; repealing all laws in conflict herewith.

Under the provisions of the law of the Tenth Session, House Bill

No. 172, approved March 15, 1909, the office of Dairy, Food and Oil Commissioner was abolished and in lieu thereof was established the office of Dairy, Food and Sanitary Inspector under appointment by the State Board of Health, and whose salary was fixed at a sum not to exceed fifteen hundred dollars per annum, payable monthly from the state treasury, his actual and necessary expenses to be paid in like manner. There is no direct authority given in the law of 1909 for the appointment of a regular assistant Inspector, although authority is given to the State Board of Health to appoint a temporary deputy inspector in case of necessity, whose pay shall not exceed four dollars per day and expenses. Under the provisions of the general appropriation Act, Tenth Session Laws, Page 138, is the clause: "For the salary of an assistant Dairy Commissioner, \$4000" and "For the traveling expenses of the assistant Dairy Commissioner, \$2500." The committee on appropriations at that session of the Legislature apparently overlooked the fact that the title of the office had been changed from "Commissioner" or "Inspector," but the appropriation was evidently intended to pay the salary and expense of a permanent deputy for the Dairy, Food and Sanitary Inspector.

I do not believe a salary of fifteen hundred dollars is proper pay for a man who honestly, efficiently and capably fills the office of State Dairy, Food and Sanitary Inspector and the provisions of Section 2 of the Act now before me, increasing the salary to twenty-four hundred dollars per annum, would be satisfactory. The bill also provides for an office deputy with a salary of twelve hundred dollars. Whether or not it is necessary to have such office deputy I am not prepared to say, as this provision of the bill, by reason of its disapproval on other grounds, has not as carefully been considered by me as under other circumstances I would deem necessary. The present bill provides for a fund to be kept by the State Treasurer into which is paid all fines, exclusive of costs, collected in any of the courts of the State for violations of the Pure Food, Sanitary and Health Laws of the State. While opposed upon general principles to the idea of making separate disposal of fines imposed for any particular class of offenses, to the general and usual method of disposing of such fines, still, in view of the fact that such fines are generally the result of prosecutions instituted by and carried on under the Inspector himself, I would be willing to waive such objections. The particular reason for my disapproval of this bill is the provisions of Section 3 which give the power to the Inspector, with the consent and approval of the State Board of Health, to appoint: "Such a number of deputy Dairy, Food and Sanitary Inspectors as are necessary to carry out and enforce the duties of his said office. Such deputy shall be paid the sum of not to exceed five dollars per day for each day actually employed and the traveling expenses of such deputies shall be a charge against the state." Under this provision of the bill in question there is no limit to the number of deputies that may be appointed, nor is the amount that may be paid for traveling expenses curtailed in any way. The per diem and expenses of these deputies are a charge against the state to be paid out of the fund specially created by this Act, and must be paid, in the event such fund is exhausted, out of any fund in the state treasury appropriated therefor. I am not willing to admit as a proper governmental policy the unrestricted right of any officer or Board to appoint an unlimited number of deputies of any officer because in the opinion of such officer or Board it may be necessary to make such appointments. The statute under which appointments of this kind are made should always curtail the expenditures and limit the number of deputies, or, in the event a limit upon such number could not well be placed, such statute should expressly and positively state the only circumstances under which and by reason of which such unlimited number of deputies could be appointed and clothed

with official power. Under the provisions of a law of this kind it becomes possible, although not at all probable, considering the personnel of the present Board of Health and the Inspector, to appoint a horde of deputies under the easily imagined plea of necessity during the weeks immediately preceding an election, whose ostensible business it would be to assist the Inspector in the performance of his duties, but whose real efforts would be directed towards furthering the chances of certain particular candidates for office. It may be said that the amounts to be paid to such deputies would be limited to the amount of the fund created, supplemented by the appropriations made by the Legislature, but if such fund was exhausted and such appropriation insufficient to cover the entailed charges, under our system, the appointments being duly made and the services ostensibly performed, the State Board of Examiners would be impelled to allow the bills and issue deficiency warrants therefor, which finally would have to be paid by the state.

Believing that the good in this bill is more than counterbalanced by its obnoxious features, I am impelled to return it to you for your further consideration. Respectfully submitted,

JAMES H. HAWLEY,
Governor.

Boise, Idaho, February 21, 1911.

The question before the House was, "Shall House Bill No. 142 pass over the Governor's veto?"

Morgan moved a call of the House.

Seconded by Hill.

Motion carried.

Roll call showed all members present except Eimers and Glennon, excused, and Bell and Dunning.

Morgan then moved the call be raised. Seconded by Wood.

Motion carried.

Moved by Davis, and seconded by Black, that the veto message from the Governor, together with House Bill No. 142, be referred to the Committee on Public Health, with instructions to bring in a report on the bill and the veto message, and that action on the veto be made a special order for Thursday morning at 9 a. m.

Motion carried.

Special Order.

Speaker announced that all House Joint Resolutions, made a special order for this time, would now be considered.

Davis moved that all bills, resolutions and memorials having reference to the Initiative, Referendum and Recall be made a special order for Friday at 2 p. m.

Seconded by Baldrige.

Motion carried.

Reports of Standing Committees.

The Committee on Judiciary submitted the following report:

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration House Joint Resolutions Nos. 20, 21 and 22, report same back to the House without recommendation.

FEATHERSTONE,
Chairman.

The Committee on Ways and Means submitted the following report:

Mr. Speaker:

Your Committee on Ways and Means, having had under consideration House Bill No. 386, by Davis, recommends that said bill be

placed upon the General Calendar to be considered in conjunction with House Bills Nos. 151 and 260.

EDGINGTON,
Chairman.

The Committee on Cities, Towns and Other Municipalities submitted the following report:

Mr. Speaker:

We, your Committee on Cities, Towns and Other Municipal Corporations, beg leave to report that we have had under consideration House Bill No. 233, and recommend that the same be amended as follows:

In the second line of the title change the word "three" to "two" and in the third line of the title after the word "thousand" add the words "five hundred" and change the figures "3,000" to "2,500."

In Section 1, line 4, change the word "three" to "two" and after the word "thousand" add the words "five hundred" and change the figures "3,000" to "2,500."

At the beginning of Section 2 (a), page 6, change "(a)" and "(b)." In line 12, same section, strike out the word and figure "two (2)."

In Section 4r at the end of the section, strike out the word "four" and insert "....." (here insert number).

In line 23, Section 4z, strike out the word "disqualifications" and write in lieu thereof "disqualification."

In line 5, Section 13, change the comma to a period following the word "Act" and change "and" to "It."

In the tenth line, same section, in "oppoitive" change "o" to "a."

In Section 15, line 3, change the word "three" to "two" and after the word "thousand" add the words "five hundred" and change the figures "3,000" to "2,500."

At the end of the same section add the following: "Provided, That the above salaries may be increased or decreased at any time in any city which had adopted the provisions of this Act by means of the initiative power in this Act conferred."

In the sixth line of Section 19 after the word "execute" add the words "all contracts," and in the ninth line after the word "vigilant" add the words "in requiring."

In line 36, on page 42, change the word "sum" to "same;" in line 51, page 43, after the word "cast" add the words "for Mayor."

In line 10, Section 25, strike out the word "as."

In Section 68, beginning with the word "condition," in line 3, strike out the remainder of the section.

In Section 73, Subdivision 1, after the word "Councilman" and also before the word "Mayor" strike out the quotation marks.

And as amended the bill do pass.

BLACK,
Chairman.

The Committee on Printing submitted the following report:
Mr. Speaker:

Your Committee on Printing herewith report that we have had correctly printed and distributed the following: House Bill No. 419, amendments to House Bill No. 277.

The following have been read by copy, corrected and sent to the printer: House Bills Nos. 433, 443 and 444, House Joint Resolution No. 27.

JONES,
Chairman.

Motions and Resolutions.

Featherstone submitted the following House Concurrent Resolution and moved its adoption:

H. C. R. NO. 10, BY MORGAN AND FEATHERSTONE.

Resolved by the House of Representatives, the Senate concurring, That the Eleventh Session of the Legislature of Idaho shall cease to consider bills, joint resolutions and memorials on Thursday, March 2, 1911, at 11:40 p. m., and that the Legislature shall adjourn sine die at 12 o'clock, midnight, March 2, 1911.

Seconded by Morgan.

Motion carried and H. C. R. No. 10 adopted and ordered transmitted to Senate.

Jenson moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that House Bill No. 344 be read the third time at length, section by section, and be put upon its final passage.

Seconded by Gibson.

The question being on the suspension of the rules, roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Berry, Black, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Hanmer, Hellekson, Hendricks, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sorenson Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wood, Mr. Speaker.

Nays—Bower, Hill, Sanborn, Smith, Wilson.

Total number of votes, 54. Ayes, 49. Nays, 5. Absent, not voting, 5.

And so the rules were suspended.

HOUSE BILL NO. 344, BY JENSON, then read a third time at length, section by section, for final action.

Hill moved that House Bill No. 344 be laid over and made a special order for Thursday morning at 10 o'clock.

Seconded by Sanborn.

Motion lost.

Moved by Hill and seconded by Walker that M. J. Kerr of Fremont County be given ten minutes to be heard on this bill.

Motion carried.

After Mr. Kerr had concluded his talk Jenson moved that C. G. Keller of the same county be given five minutes to speak in favor of House Bill No. 344.

Seconded by Gibson.

Motion carried.

The question then being "Shall House Bill No. 344 pass?" roll was called with the following result:

Ayes—Allred, Baldrige, Berry, Black, Bradford, Bradley, Burrell, Ceaser, Davis, Edgington, Featherstone, Gibson, Hellekson, Hendricks, Holmberg, Hyde, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Morgan, McCabe, Nelson, Nihart, Oakes, Parker, Pincock, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Arthur, Bower, Eckles, Farmin, Friend, Galloway, Hanmer, Hill, Hutton, Jacobs, Nielsen, Sanborn, Walker.

Total number of votes, 53. Ayes, 40. Nays, 13. Absent, not voting, 6.

And so the bill passed, title was approved, and House Bill No 344 ordered transmitted to the Senate.

Gibson moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section

15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency, and that House Bill No. 345 be read the third time at length, section by section, and be put upon its final passage.

Seconded by Jenson.

The question being on the suspension of the rules, roll was called with the following result:

Ayes—Allred, Arthur, Baldridge, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Davis, Edgington, Eimers, Farmin, Featherstone, Gibson, Hendricks, Holmberg, Hutton, Hyde, Jayne, Jenson, Johnson, Johnston, Jones, Leaf, McCabe, Nelson, Nielsen, Oakes, Parker, Pincock, Sorenson, Strode, Taylor, Thompson, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Berry, Friend, Hanmer, Hellekson, Hill, Kerby, Morgan, Sanborn, Smith, Stephens, Walker.

Total number of votes, 50. Ayes, 39. Nays, 11. Absent, not voting, 9.

And so the rules were suspended.

HOUSE BILL NO. 345, BY GIBSON, read a third time at length, section by section, for final action

Sanborn moved that the floor of the House Chamber be cleared of those who can not get seats, and that the Sergeant-at-Arms be instructed to see that the floor is cleared and all lobbying in the halls of the House be stopped until the end of this session.

Seconded by Arthur.

Speaker ruled the motion of Sanborn out of order.

Hill moved a call of the House.

Seconded by Walker.

Motion carried.

Roll call showed all members present, except Bell, Berry, Crow, Davis, Dunning, Eimers, Glennon, Hanmer, Kerby, Leaf, Wood.

Sanborn moved that all further proceedings under the call be dispensed with.

Seconded by Hill.

Motion carried.

Hill then moved that House Bill No. 345 be referred to the Committee of the Whole for amendment.

Seconded by Walker.

Motion lost.

The question being, "Shall House Bill No. 345 pass?" roll was called with the following result:

Ayes—Allred, Baldridge, Berry, Black, Bradford, Bradley, Burrell, Ceaser, Davis, Edgington, Farmin, Featherstone, Gibson, Hellekson, Hendricks, Holmberg, Hyde, Jayne, Jenson, Johnson, Johnston, Jones, Morgan, McCabe, Nelson, Nihart, Oakes, Parker, Pincock, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Warnick, Wilson, Mr. Speaker.

Nays—Arthur, Bower, Eckles, Friend, Galloway, Hanmer, Hill, Hutton, Nielsen, Sanborn, Walker.

Jacobs and Leaf paired.

Total number of votes, 49. Ayes, 38. Nays, 11. Absent, not voting, 8.

And so the bill passed, title was approved, and House Bill No. 345 was ordered transmitted to the Senate.

Senate Bills Signed by the Speaker.

Speaker, in the presence of the House, signed Senate Bills Nos. 28 and 60.

Unanimous consent was given to return to the Ninth order of Business.

Motions and Resolutions.

Sanborn moved that the floor of the House Chamber be cleared of all persons unable to get seats, and that the Sergeant-at-Arms be instructed to see that the floor is cleared and that lobbying in the halls of the House be stopped until the end of this session.

Seconded by Arthur.

The question being on the motion by Sanborn, roll was called with the following result:

Ayes: Allred, Arthur, Baldridge, Berry, Black, Bower, Bradley, Burrell, Ceaser, Davis, Dunning, Eckles, Farmin, Featherstone, Friend, Galloway, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hyde, Jacobs, Jayne, Johnson, Johnston, Jones, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays: Hutton and Taylor.

Total number of votes, 50. Ayes, 48. Nays, 2. Absent not voting, 9

And so the motion prevailed.

Unanimous consent was given Johnston to return to the Seventh Order of Business

Reports of Standing Committees.

The Judiciary Committee submitted the following report:

Mr. Speaker:

The Judiciary Committee, having had under consideration House Joint Resolution No. 3, by Strode, and finding it impossible to properly amend the said resolution, hereby return substitute therefor, and recommend that the substitute do pass.

FEATHERSTONE,

Chairman.

Report adopted.

The Committee on State Affairs submitted the following report:

Mr. Speaker:

We, your Committee on State Affairs, having had under consideration House Bill No. 299, by Committee on Mines and Mining, beg leave to submit the following report.

We the Majority Members beg leave to recommend that the Bill do not pass.

BRADFORD,

BALDRIDGE,

FEATHERSTONE,

JOHNSTON,

Chairman.

We, the Minority Members beg leave to recommend that the Bill do pass.

KERBY

PINCOCK.

Report accepted.

Committee on Engrossed and Enrolled Bills submitted the following report:

Mr. Speaker:

We, your Committee on Engrossed and Enrolled Bills, report House Bills Nos. 224, 388, 391, 382 and House Joint Resolution No. 24 correctly engrossed.

BOWER,

Acting Chairman.

Mr. Speaker:

We, your Committee on Engrossed and Enrolled Bills, report House Bills Nos. 392, 413, 421, 417, 389 and 213 correctly engrossed.

BOWER,

Acting Chairman.

Report accepted and House Bill Nos. 224, 388, 391, 382, 392, 413, 421, 417, 389, 213 and House Joint Resolution No. 24, filed for third reading

Introduction of Bills, Concurrent Resolutions and Joint Memorials.

Unanimous consent was given for the introduction of the following Joint Resolution:

H J R NO. 28, BY JUDICIARY COMMITTEE (SUBSTITUTE FOR H. J. R NO. 3, BY STRODE)

A Joint Resolution proposing the amendment of Section 6, Article 5, of the Constitution of the State of Idaho, as amended by a Joint Resolution of the Legislature of the State of Idaho, passed at its Tenth Session and adopted at the general election, 1910, submitting to the electors of said State of Idaho, for their rejection or approval, the question: Shall said section be so amended as to make the term of office of Justices of the Supreme Court ten (10) years, and increase the number of Justices of the Supreme Court from three (3) to five (5) members

Unanimous consent was given to return to the Ninth Order of Business.

Motions and Resolutions.

Davis moved that all rules of the House interfering with the immediate passage of bills be suspended, that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that House Joint Resolution No. 28 be read the first and second times by title and the third time at length, section by section, the same having been printed, and be put upon its final passage.

Seconded by Johnston.

The question being, "Shall the rules be suspended?" roll was called with the following result.

Ayes—Allred, Arthur, Baldridge, Berry, Black, Bradford, Bradley, Burrell, Ceaser, Davis, Dunning, Eckles, Edgington, Farmin, Featherstone, Friend, Galloway, Gibson, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jensen, Johnson, Johnston, Jones, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker

Nays—None.

Total number of votes, 51. Ayes, 51. Nays, 0. Absent, not voting, 8.

And so the rules were suspended

HOUSE JOINT RESOLUTION NO. 28, BY THE JUDICIARY COMMITTEE, was then read first and second times by title and the third time at length, section by section, for final action.

Morgan moved to reconsider the motion by which the rules were suspended.

Seconded by Dunning.

Motion carried.

The question was then upon the suspension of the rules.

Davis moved as a substitute motion that House Joint Resolution No. 28 be made a special order for Saturday at 10 a. m.

Seconded by Taylor.

Motion carried.

Black moved that the House resolve itself into Committee of the Whole for the consideration of the general calendar.

Seconded by Eckles.

Motion carried.

Committee of the Whole.

House then resolved itself into Committee of the Whole, with Black in the Chair.

House in Regular Session.

The Committee of the Whole submitted the following report:

Mr. Speaker:

The Committee of the Whole have had under consideration the General Calendar, and make the following recommendation:

That Senate Bill No. 50 be amended as follows: At the end of line 15, add the following: "Provided, that no more than \$1,000 shall be paid out of the general fund of the State for such a purpose, in any one year; and that no Deputy Bee Inspector shall be employed for more than 90 days in any one year; and provided, further, that the State Bee Inspector, or his deputies, shall collect from each person whose bees are inspected the sum of twenty-five cents for each hive inspected, for the first twenty hives, and ten cents for each additional hive, said fees to be paid to the State Treasurer, and by him paid into the general fund."

That Senate Bill No. 52 do pass without amendment.

That House Bill No. 230 do pass.

That House Bill No. 249 be amended by striking out all of Section 3. Strike out from the title all after the word "of" in line 3.

That House Bill No. 183 be amended by striking out the words "read, write and" from the title, and insert after the word "speak" in line 4, Section 1, the words "and converse in." Insert in line 6, in the title, after the word "speak" the words "and converse in." Strike out all of Section 2 after the word "misdemeanor."

That House Bill No. 237 be amended as follows: Strike out lines 3, 4 and 5, Section 1, down to and including the word "State," and insert in lieu thereof the following: "It shall be unlawful for any person, persons, firm or corporation."

Strike out all after the word "misdemeanor" in line 9.

Strike out the word "twenty" at the end of line 6, and all of line 7, and the words "pound thereof" in line 8, and insert in lieu thereof the following: "eighteen (18) years, any tobacco or any compound thereof, or any cigarette, cigarettes, or cigarette papers. It shall also be unlawful for any person under the age of eighteen (18) years to purchase or accept as a gift, any tobacco, or compound thereof, or any cigarette, cigarettes or cigarette paper."

That House Bill No. 77 be amended as follows: Whenever the words and figures "seven hundred eighteen dollars and fourteen cents (\$718.14)" appear, insert in lieu thereof the words and figures "six hundred fifteen dollars and fifty-five cents (\$615.55)."

That House Bill No. 275 be amended as follows: "Wherever the words and figures "six thousand dollars (\$6,000)" appear, insert in lieu thereof the words and figures "four thousand dollars (\$4,000)."

That House Bill No. 34 lie on the table.

That House Bill No. 222 be amended as follows: In Section 3, line 12, strike out the words and figures "ten (10) per cent" and insert in lieu thereof the words and figures, "twenty-five (25) per cent."

In line 15, Section 3, strike out the words and figures, "one (1) per cent," and insert in lieu thereof the words and figures, "fifteen (15) per cent," and add the following after the word "county," "who are receiving regular service from such telephone, electric, gas, or power company."

In line 12, Section 3, insert after the word "village," "who are receiving regular service from such telephone, electric, gas or power company."

Strike out the words "less than," in line 8, Section 8; also the words "five hundred dollars (\$500.00) nor," in line 9, Section 8.

Strike out the words, "less than thirty (30) days, nor," in line 10, Section 8.

That House Bill No 204 be amended as follows: "Amend Section 3, line 3, by inserting between the word "determine" and the word "the," the following: "The Board shall also, at least once a year, arrange for an examination in some convenient place in the northern part of the State.

That Senate Bill No. 3 be amended by adding to Section 1 the following:

The words "half blood" when construed in connection with this section shall be understood to have the same meaning as is usually given to these words by cattle growers in this State."

That Senate Bill No 10 be amended as follows:

After the word "improvements" and before the word "be," in line 4 of Section 1, insert the words, "or any street improvements of any kind authorized by general law to be made in cities, towns and villages of this State"

In line 7, after the word "improvement" and before the word "against," insert the words, "or any street improvements of any kind authorized by general law to be made in cities, towns and villages of this State."

In line 3, in the title, after the words "improvements," insert the words, "or any street improvements of any kind authorized by general law to be made in cities, towns and villages of this State."

And as thus amended the bill do pass.

BLACK,
Chairman.

On motion by Black report of the Committee of the Whole was adopted.

Thereupon House adjourned until 9 o'clock Thursday morning,
CHARLES D. STOREY,
Speaker

JAMES H. WALLIS,
Chief Clerk.

THURSDAY, FIFTY-THIRD DAY, FEBRUARY 23, 1911.

Morning Session.

Hall of House of Representatives,
Boise, Idaho, February 23, 1911.

House met pursuant to adjournment. Mr. Speaker in the Chair.

Prayer was offered by the Chaplain.

Roll call showed all members present except Glennon and Johnston who were excused, and Hutton excused on account of sickness.

Journal for the fifty-first day was then read.

Committee on Journal submitted the following report:

Mr. Speaker:

Your Committee on Journal herewith reports that they have had under consideration the Journal for the fifty-first day and have corrected the same and move that the Journal for that day be approved

WARNICK,
Chairman.

Report adopted and Journal for the fifty-first day approved.

Reports of Standing Committees.

The Committee on Public Health submitted the following report:
Mr. Speaker:

Your Committee on Public Health, to whom was referred House Bill No. 142 by Smith, together with the Governor's message returning said bill to the House with his disapproval, respectfully report a

substitute bill, which meets the objections of the Executive. We recommend the Governor's veto being sustained, and the accompanying bill being passed under suspension of rules.

CROW,
Chairman.

Report adopted, and Governor's veto sustained.

The Committee on Private Corporations submitted the following report:

Mr. Speaker:

We, your Committee on Private Corporations, beg leave to report that we have had under consideration House Bill No. 263 by Crow and Ceaser, and recommend that it do pass.

BRADFORD,
Chairman.

Report adopted and House Bill No. 263 referred to Engrossing Committee and ordered engrossed.

The Committee on Agriculture and Horticulture submitted the following report:

Mr. Speaker:

We, your Committee on Agriculture and Horticulture, have considered House Bill No. 432, and recommend that it do pass.

SMITH,
Chairman.

Report adopted and House Bill No. 432 referred to Engrossing Committee and ordered engrossed

The Committee on Live Stock submitted the following report:

Mr. Speaker:

We, your Committee on Live Stock, respectfully report that we have had under consideration House Bill No. 376 and recommend that it do pass.

ARTHUR,
Chairman.

Report adopted and House Bill No. 376 referred to Engrossing Committee and ordered engrossed

The Committee on County Lines and Boundaries submitted the following report:

Mr. Speaker:

We, your Committee on County Lines and Boundaries, having had under consideration Senate Bill No. 74, by Freehafer, beg leave to submit the following report:

We, the majority members of the committee, recommend that the bill do pass.

BURRELL,
JOHNSON,
JENSON,
PARKER,
JOHNSTON,
Chairman.

The minority recommend that the bill do not pass.

EIMERS.

Mr. Arthur did not vote. In explanation he stated that he did not feel sufficiently informed on the question.

Reports accepted.

The Committee on Public Health submitted the following report:

Mr Speaker:

We, your Committee on Public Health, wish to report on House Bill No. 80 that it do pass. Also that House Bill No. 315 do pass. Also that House Bill No. 420 do pass.

CROW,
Chairman.

Report accepted, and House Bills Nos. 80, 315 and 420 referred to Engrossing Committee and ordered engrossed.

The Committee on Printing submitted the following report:

Mr. Speaker:

Your Committee on Printing herewith report that we have had correctly printed and distributed the following: House Bills Nos. 298, 343 and 432.

And the following have been read by copy, corrected and sent to the printer. House Bill No. 357, House Joint Resolution No. 28.

JONES,
Chairman.

The Committee on Roads, Bridges and Ferries submitted the following report:

Mr. Speaker:

We, your Committee on Roads, Bridges and Ferries, having had under consideration House Bill No. 235, by Jones, recommend that the bill do pass, and further recommend that it be referred to the Appropriations Committee.

Also House Bill Nos. 441 and 442, and recommend that they do pass.

JACOBS,
Chairman

Report adopted and House Bills Nos. 441 and 442 ordered engrossed.

The Committee on Irrigation submitted the following report.

Mr. Speaker:

We, your Committee on Irrigation, beg leave to report that we have had under consideration House Bill No. 162, by Bower, and recommend that in line 14, Section 1, the word "stored" be written in between the words "of" and "water," and that as amended the bill do pass.

Also House Bill No. 251, by Bradford, Crow, Ceaser, Storey and Wilson, and recommend that the same be amended as follows:

In Section 2375a, after the word "held," in line 23, the following be written in: "Provided, further, That if any person shall be the owner of more than one-tenth (1-10) of the land embraced in any district, or shall have the right to the use of more than one-tenth (1-10) of the water furnished by the irrigation works of any district, he shall not be entitled to vote such land or water owned in excess of such one-tenth (1-10)."

And that as thus amended the bill do pass.

Also that House Bill No. 384, by Crow, do pass

NIHART,
Chairman.

Report adopted, and House Bill No. 384 referred to Engrossing Committee and ordered engrossed.

The Judiciary Committee submitted the following report:

Mr. Speaker:

We, your Committee on Judiciary, beg leave to report that we have had under consideration House Bill No. 287, and recommend that it do pass as amended.

Also that we have had under consideration Senate Bill No. 151, and recommend that it do pass

Also that we have had under consideration Senate Bill No. 103, and recommend that it do pass.

FEATHERSTONE
Chairman.

Report adopted and Senate Bills Nos. 151 and 103 filed for third reading.

The Committee on Engrossed and Enrolled Bills submitted the following report:

Mr. Speaker:

We, your Committee on Engrossed and Enrolled Bills report House

Bills Nos. 298, 317, 299, 293, 418, 390, 359, and 363 correctly engrossed.

BOWER,
Acting Chairman.

Report adopted and House Bills Nos. 298, 317, 299, 293, 418, 390, 359 and 363 filed for third reading.

The Committee on Private Corporations submitted the following report:

Mr. Speaker:

We, your Committee on Private Corporations, having had under consideration House Bills Nos. 255 and 256, beg leave to submit the following report: That House Bill No. 255, by Featherstone, do pass; and that House Bill No. 256, by Featherstone, do not pass.

BRADFORD,
Chairman.

Report accepted and House Bill No. 255 referred to Engrossing Committee and ordered engrossed.

The Committee on Engrossed and Enrolled Bills submitted the following report:

Mr. Speaker:

We, your Committee on Engrossed and Enrolled Bills, report House Bill No 209 correctly enrolled.

BOWER,
Acting Chairman

Motions and Resolutions.

Edgington moved that Senate Bill No. 151 be made a special order of business for eleven o'clock.

Seconded by Pincock.

Motion carried.

Special Order.

The hour having arrived for consideration of House Bill No. 445 (substitute for House Bill No. 142), House proceeded to the consideration of same.

Smith moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that House Bill No. 445, substitute for House Bill No. 142, having been printed, be read the first and second times by title, and the third time at length, section by section, and be put upon its final passage.

Seconded by Crow.

The question being on the suspension of the rules, roll was called with the following result:

Ayes: Allred, Arthur, Baldrige, Bell, Berry, Black, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Hellekson Hendricks, Hill, Holmberg, Hyde, Jayne, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Mr. Speaker.

Nays—None.

Total number of votes, 46. Ayes, 46. Nays, none. Absent, not voting, 13.

And so the rules were suspended.

HOUSE BILL NO. 445, BY COMMITTEE ON PUBLIC HEALTH (SUBSTITUTE FOR HOUSE BILL NO. 142), was read the first and second times by title and the third time at length, section by section for final action.

The question being, "Shall House Bill No 445 pass?" roll was called with the following result:

Ayes: Arthur, Baidridge, Bell, Berry, Black, Bradford, Bradley, Ceaser, Crow, Davis, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Hellekson, Hendricks, Hill, Holmberg, Jayne, Johnson, Jones, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Pincock, Smith, Sorenson, Stephens, Strode, Taylor Terrell, Thompson, Walker, Warnick, Wilson, Mr. Speaker.

Nays. Hyde, Parker.

Total number of votes 15. Ayes 43. Nays 2. Absent not voting 14.

And so the bill passed, title approved, and House Bill No 445 was ordered transmitted to the Senate

Moved by Jones, seconded by Sanborn, that the Committee report on Senate Bill No. 103 be not accepted and that the bill be recommitted to the Judiciary Committee to give the members an opportunity to appear before that committee.

Motion lost.

Kerby moved that the Printing Committee report to the House, Friday morning, February 24, at 9 o'clock, the total expense of printing which has been incurred by the House up to said time. Seconded by Sanborn

Motion carried.

Message From the Senate.

Mr. Speaker:

I have the honor to transmit herewith Senate Bills Nos 116 and 30, which have passed the Senate.

CHARLES J LISLE,
Assistant Secretary of Senate

First Reading of Printed Amendments to House Bills.

Printed amendments to House Bill No. 277 were read first time in full.

Second Reading and Reference of House Bills, Concurrent Resolutions and Joint Memorials.

The following bills were read second time in full:

H. B. No. 443, by Nihart.

H. B. No. 444, by Hanmer.

H. J. R. No. 27, by Nihart

H. J. R. No. 28, by Judiciary Committee, substitute for H. J. R. No. 3, by Strode.

Third Reading of House Bills, Concurrent Resolutions and Joint Memorials and Final Action Thereon.

HOUSE BILL NO. 71, BY COMMITTEE ON BANKS AND BANKING, AS AMENDED BY THE SENATE, read a third time at length, section by section, for final action

The question being, "Shall the bill pass?" roll was called with the following result.

Ayes—Allred, Arthur, Berry, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Hellekson, Hendricks, Hyde, Jayne, Johnson, Kerby, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 42. Ayes, 42. Nays, none. Absent, not voting, 17.

And so the bill passed, title was approved, and House Bill No. 71 was ordered enrolled.

HOUSE BILL NO. 278 BY JOHNSTON read a third time at length, section by section, for final action.

Moved by Smith and seconded by Nihart that H. B. No. 278 be laid over until the author of the bill is present.

Motion carried.

HOUSE BILL NO. 395 BY EDGINGTON read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Bell, Berry, Black, Bower, Burrell, Ceaser, Crow, Davis, Dunning, Edgington, Elmers, Farmin, Featherstone, Friend, Galloway, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hyde, Jacobs, Johnson, Jones, Morgan, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 44. Ayes, 44. Nays, none. Absent, not voting, 15.

And so the bill passed, title was approved, and House Bill No. 395 was ordered transmitted to the Senate.

House Bills Signed by the Speaker.

Speaker, in the presence of the House, signed House Bill No. 209.

Third Reading of House Bills, Concurrent Resolutions and Joint Memorials and Final Action Thereon.

HOUSE BILL NO. 349, BY BRADLEY, read a third time at length, section by section, for final action.

Moved by Davis, and seconded by Morgan, that House Bill No. 349 be referred to the Committee of the Whole for amendment.

Motion carried.

HOUSE BILL NO. 224, BY HILL AND PINCOCK, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Berry, Black, Bradley, Burrell, Ceaser, Davis, Dunning, Edgington, Farmin, Featherstone, Friend, Gibson, Hanmer, Hellekson, Hendricks, Holmberg, Hyde, Jayne, Johnson, Jones, Kerby, Leaf, Morgan, Nielsen, Nihart, Oakes, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Bell.

Total number of votes, 43. Ayes, 42. Nays, 1. Absent, not voting, 16.

And so the bill passed, title was approved, and House Bill No. 224 was ordered transmitted to the Senate.

HOUSE BILL NO. 413, BY TERRELL, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Bell, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Edgington, Elmers, Farmin, Featherstone, Friend, Gibson, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hyde, Jacobs, Jayne, Johnson, Jones, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker

Nays—None.

Total number of votes, 50. Ayes, 50. Nays, none Absent, not voting, 9.

And so the bill passed, title was approved, and House Bill No. 413 was ordered transmitted to the Senate

HOUSE BILL NO 417, BY HOLMBERG, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" the roll was called with the following result:

Ayes—Berry, Eimers, Galloway, Hellekson, Holmberg, Hyde, Jacobs, Morgan, Nelson, Nihart, Oakes, Parker, Pincock, Sorenson, Stephens, Walker, Wood, Mr. Speaker.

Nays—Allred, Arthur, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Davis, Dunning, Eckles, Edgington, Farmin, Featherstone, Friend, Gibson, Hanmer, Hendricks, Hill, Jayne, Johnson, Jones, Kerby, Leaf, McCabe, Nielsen, Sanborn, Strode, Taylor, Terrell, Thompson, Warnick, Wilson.

Total number of votes, 51. Ayes, 18. Nays, 33. Absent, not voting, 8.

And so the bill failed to pass.

Special Order—Senate Bill No. 151.

Senate Bill No. 151, made a special order for this time, was taken up for consideration.

SENATE BILL NO. 151, BY MACBETH, POOLE, ST. CLAIR AND WHITCOMB, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" the roll was called with the following result:

Ayes: Allred, Black, Bradford, Burrell, Ceaser, Crow, Davis, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Gibson, Hanmer, Hellekson, Hendricks, Hill Holmberg Hyde, Jacobs, Jayne, Johnson, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays: Bower, Dunning.

Total number of votes 48. Ayes 46 Nays 2. Absent not voting 11.

And so Senate Bill No. 151 passed, title was approved, and bill ordered returned to the Senate.

HOUSE BILL NO. 213 BY COMMITTEE ON PUBLIC HEALTH, read a third time at length, section by section, for final action.

The question being "Shall the Bill Pass?" the roll was called with the following result:

Ayes: Allred, Arthur, Bell, Berry, Black, Bower, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Edgington, Farmin, Featherstone, Friend, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hyde, Jacobs, Jayne, Johnson, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Pincock, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Mr Speaker.

Nays—None.

Total number of votes, 46. Ayes, 46. Nays, none. Absent, not voting, 13.

And so the bill passed, title was approved, and House Bill No. 213 ordered transmitted to the Senate.

HOUSE BILL NO. 351 BY HANMER, LEAF, WILSON, AND KERBY, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Berry, Black, Bower, Bradley, Burrell, Cea-

ser, Crow, Davis, Dunning, Edgington, Elmers, Featherstone, Friend, Hanmer, Hendricks, Hill, Holmberg, Hyde, Jacobs, Jayne, Johnson, Jones, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 46. Ayes, 46. Nays, none. Absent, not voting, 13.

And so the bill passed, title was approved, and House Bill No. 351 was ordered transmitted to the Senate.

Moved by Eckles, and seconded by Leaf, that Senate Bill No. 74 be made a special order for 11 o'clock Friday morning.

Motion carried.

HOUSE BILL NO. 401 BY TERRELL, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Bell, Black, Bower, Bradford, Bradley, Ceaser, Crow, Davis, Eckles, Elmers, Farmin, Featherstone, Friend, Galloway, Gibson, Hellekson, Hendricks, Hill, Holmberg, Hyde, Jacobs, Jayne, Johnson, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Mr. Speaker.

Nays—Berry, Dunning, Hanmer, Parker, Wood.

Total number of votes, 51. Ayes, 46. Nays, 5. Absent, not voting, 8.

And so the bill passed, title was approved, and H. B. No. 401 was ordered transmitted to the Senate.

On motion of Kerby House took a recess until 2:30 p. m.

Afternoon Session.

House met pursuant to adjournment. Mr. Speaker in the chair.

Roll call showed all members present except Glennon, who was excused.

Reports of Standing Committees.

The Judiciary Committee submitted the following report:
Mr. Speaker:

We, your Committee on Judiciary, respectfully report that we have had under consideration House Bills Nos. 166, 380 and 419 and recommend that the same do pass.

Also House Bill No. 112 and recommend that it do pass as amended.

Also House Bill No. 400 and recommend that it do pass.

FEATHERSTONE,

Chairman.

Report adopted and House Bills Nos. 166, 380, 419 and 400 ordered engrossed.

The Committee on Federal Relations submitted the following report:

Mr. Speaker:

We, your Committee on Federal Relations, respectfully report that we have had under consideration Senate Joint Memorial No. 4, and recommend that it do pass.

BRADFORD,

Chairman.

Report adopted and Senate Joint Memorial No. 4 filed for third reading.

The Committee on Live Stock submitted the following report:

Mr. Speaker: "

We, your Committee on Live Stock, respectfully report that we have had under consideration House Bill No. 377, and submit substitute for same and recommend that substitute bill do pass.

ARTHUR,
Chairman.

Report adopted.

The Committee on Engrossed and Enrolled Bills submitted the following report:

Mr. Speaker: "

We, your Committee on Engrossed and Enrolled Bills beg to report House Bills Nos 309, 230, 361, and H. J. R. No. 23 correctly engrossed

BOWER,
Acting Chairman.

Report received and House Bills Nos 309, 230, 361 and H. J. R. No. 23 filed for third reading.

Introduction of Bills, Concurrent Resolutions and Joint Memorials.

By unanimous consent the following bills were introduced:

H. B. NO. 446, BY COMMITTEE ON LIVE STOCK (SUBSTITUTE FOR H. B. NO. 337).

An Act indemnifying owners of animals killed or destroyed according to law for being affected with the diseases known as glanders or tuberculosis.

H. B. NO. 447, BY SMITH.

An Act to amend Section 1628 of the Revised Codes of Idaho.

H. J. R. NO. 29, BY CROW, SMITH, DAVIS, FARMIN, NIHART, SANBORN, JONES, BLACK, BURRELL, MORGAN, JAYNE, BERRY, BALDRIDGE, BELL, OAKES, BRADLEY, STRODE, DUNNING, WARNICK, BOWER, JACOBS, EIMERS, STOREY, BRADFORD, JOHNSON, WILSON, TAYLOR, NIELSEN, ALLRED, WOOD, JOHNSTON.

A Joint Resolution proposing the amendment of the Constitution of the State of Idaho by adding a section to Article 4 thereof, to be numbered Section 20, providing for a State Railway Commission, and the powers, terms of office and appointment of members thereof, and providing for the submission to the electors of the State the question of the approval or rejection of such proposed amendment. Be it resolved by the Legislature of the State of Idaho:

Section 1. That Article 4 of the Constitution of the State of Idaho is hereby amended by adding an additional section thereto to be known as Section 20, and the same to read as follows.

Section 20. There shall be a State Railway Commission, consisting of three members, who shall be appointed by the Governor, by and with the consent of the Senate, whose terms of office shall be six (6) years, and whose compensation shall be fixed by the Legislature. Of the three Commissioners first appointed, one shall hold his office for six (6) years, one for four (4) years, and one for two (2) years. The powers and duties of such commission shall include the regulation of rates, service and general control of common carriers and public utilities as the Legislature shall provide by law.

Section 2. The question to be submitted to the electors of the State of Idaho at the next general election shall be as follows.

"Shall Article 4 of the Constitution of the State of Idaho be amended by adding an additional section thereto, to be numbered Section 20, providing for a State Railway Commission?"

Section 3. The Secretary of State is hereby directed to publish this

amendment, without delay, for at least six (6) consecutive weeks prior to the next general election in not less than one newspaper of general circulation published in each county.

First Reading of House Bills, Concurrent Resolutions and Joint Memorials.

The following bills were read first time in full:

H. B. No. 446, by Committee on Live Stock.

H. B. No. 447, by Smith.

H. J. R. No. 29, by Crow, Smith, Davis, Farmin, Nihart, Sanborn, Jones, Black, Burrell, Morgan, Jayne, Berry, Baldrige, Bell, Oakes, Bradley, Strode, Dunning, Warnick, Bower, Jacobs, Eimers, Storey, Bradford, Johnson, Wilson, Taylor, Nielsen, Allred, Wood, Johnston.

Reference of House Bills.

The Speaker referred the following bills to their respective committees:

H. B. No. 443, State Affairs.

H. B. No. 444, Education.

H. J. R. No. 27, State Affairs.

H. J. R. No. 28, State Affairs.

Message From the Senate.

Mr. Speaker:

I have the honor to transmit herewith Senate Concurrent Resolution No. 8, which has passed the Senate.

CHARLES J. LISLE,

Assistant Secretary of Senate.

SENATE CONCURRENT RESOLUTION NO. 8 BY JOURNAL COMMITTEE.

Be it resolved, That the Secretary of the Senate and the Chief Clerk of the House of Representatives be instructed to prepare a permanent index of all Senate and House Bills, Resolutions and Memorials, showing the author of the same, titles, pages of Senate and House Journals where such measures are mentioned, the disposition of same, and a complete personal index, at a cost not to exceed Two Hundred Dollars (\$200) each, for compilation.

Moved by Morgan and seconded by Dunning that House concur in Senate Concurrent Resolution No. 8.

Motion carried.

S. C. R. No. 8 ordered transmitted to the Senate.

Unanimous consent was given to return to Ninth Order of Business.

Motion and Resolutions.

Crow moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills and resolutions to be read on three several days, be dispensed with, this being a case of urgency, and that House Joint Memorial No. 29, the same having been printed, be read first and second times by title and third time at length, section by section, and put upon its final passage.

Seconded by Davis.

The question being on the suspension of the rules roll was called with the following result:

Ayes: Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Hellekson, Hendricks, Hill, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nielsen, Nihart, Oakes, Pincock, San-

born, Smith, Sorenson, Strode, Taylor, Thompson, Warnick, Wood, Mr. Speaker.

Nays: Nelson, Parker, Stephens, Wilson.

Total number of votes, 51. Ayes, 47. Nays, 4. Absent, not voting, 8.

And so the rules were suspended

HOUSE JOINT RESOLUTION NO. 29 was then read first and second times by title and third time at length, section by section, for final action.

The question being, "Shall the resolution pass?" roll was called with the following result:

Ayes: Allred, Arthur, Baldridge, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Crow, Davis, Dunning, Eckles, Eimers, Farmin, Featherstone, Hanmer, Hellekson, Hendricks, Holmberg, Jacobs, Jayne, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nielsen, Nihart, Oakes, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays: Edgington, Friend, Gibson, Hill, Hutton, Hyde, Jenson, Nelson, Parker, Terrell.

Total number of votes 55 Ayes 45 Nays 10. Absent, not voting, 4

And so the resolution passed, title was approved, and House Joint Resolution No. 29 was ordered transmitted to the Senate

Moved by Strode and seconded by Wilson that House Bill No. 34 be taken from the table and placed on third reading.

Motion carried.

Third Reading of House Bills, Concurrent Resolutions and Joint Memorials, and Final Action Thereon.

HOUSE BILL NO. 278 BY JOHNSTON, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" the roll was called with the following result:

Ayes: Arthur, Baldridge, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Farmin, Featherstone, Friend, Hill, Johnston, McCabe, Nelson, Oakes, Smith, Taylor, Terrell, Warnick, Wilson, Mr. Speaker.

Nays: Allred, Eckles, Eimers, Galloway, Gibson, Hanmer, Hellekson, Hendricks, Hutton, Hyde, Jayne, Jenson, Johnson, Kerby, Leaf, Morgan, Nielsen, Nihart, Parker, Pincock, Sanborn, Stephens, Strode, Thompson, Walker, Wood.

Total number of votes 53, Ayes 27 Nays 26. Absent, not voting, 6.

And so the bill passed, title was approved and House Bill No. 278 was ordered transmitted to the Senate

HOUSE BILL NO. 280 BY STRODE, read a third time at length, section by section, for final action

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes: Allred, Arthur, Berry, Black, Bower, Bradley, Burrell, Ceaser, Davis, Dunning, Eckles, Friend, Galloway, Gibson, Hellekson, Hill, Hutton, Jayne, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays: Featherstone, Jenson, Nelson

Total number of votes 45. Ayes 42. Nays 3 Absent, not voting, 14.

And so the bill passed, title was approved, and House Bill No. 280 was ordered transmitted to the Senate

HOUSE BILL NO. 331, BY CROW (BY REQUEST), read a third time at length, section by section, for final action

Unanimous consent was given to correct a clerical error in House Bill No. 331 by inserting the word "veterinary" in Section 11, line 14.

Moved by Gibson and seconded by Pincock that House Bill No. 331 be referred to the Committee of the Whole.

Motion lost.

The question being "Shall the bill pass?" the roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Berry, Black, Bower, Bradford, Bradley, Ceaser, Crow, Davis, Farmin, Featherstone, Friend, Galloway, Hanmer, Hellekson, Hill, Holmberg, Hyde, Jayne, Jones, Kerby, Morgan, McCabe, Nelson, Nihart, Oakes, Parker, Sanborn, Smith, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Dunning, Gibson, Nielsen, Pincock.

Total number of votes, 43. Ayes, 39. Nays, 4. Absent, not voting, 16.

And so the bill passed, title was approved, and House Bill No. 331 was ordered transmitted to the Senate.

HOUSE BILL NO. 180, BY OAKES, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Baldrige, Berry, Black, Bower, Bradley, Davis, Dunning, Eimers, Farmin, Friend, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hyde, Jayne, Johnson, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Jones.

Total number of votes, 42. Ayes, 41. Nays, 1. Absent, not voting, 17.

And so the bill passed, title was approved, and House Bill No. 180 was ordered transmitted to the Senate.

HOUSE BILL NO. 325, BY CEASER, STOREY, BELL, NIHART, JACOBS, NELSON, CROW AND SMITH, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Berry, Black, Bower, Bradford, Bradley, Ceaser, Crow, Davis, Dunning, Eimers, Farmin, Featherstone, Friend, Gibson, Hanmer, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Sanborn, Smith, Sorenson, Taylor, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 47. Ayes, 47. Nays, none. Absent, not voting, 12.

And so the bill passed, title was approved, and House Bill No. 325 was ordered transmitted to the Senate.

HOUSE BILL NO. 324, BY CEASER, STOREY, BELL, NIHART, JACOBS, NELSON, CROW AND SMITH, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Featherstone, Friend, Gibson, Hanmer, Hellekson, Hill, Holmberg, Hutton, Hyde,

Jacobs, Jayne, Jenson, Jones, Leaf, Morgan, McCabe, Nielsen, Nihart, Oakes, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 46. Ayes, 46. Nays, none Absent, not voting, 13.

And so the bill passed, title was approved, and House Bill No. 324 ordered transmitted to the Senate.

Moved by Morgan and seconded by Walker that House resolve itself into Committee of the Whole for consideration of the General Calendar.

Motion carried.

House In Committee of the Whole.

House resolved itself into Committee of the Whole for consideration of the General Calendar. Davis in the Chair.

House In Regular Session.

The Committee of the Whole submitted the following report:

Mr. Speaker:

The Committee of the Whole having had under consideration the general calendar, makes the following recommendations:

That House Bill No 286 be amended as follows.

In line 2 of the title, substitute the words and figures "Six Thousand (\$6,00)" in place of "Fifteen Thousand (\$15,000)."

In lines 11 and 12 of the title substitute the words and figures "Twelve Thousand (\$12,000)" in place of "Fifteen Thousand (\$15,000)."

In line 13 of the title substitute the words and figures "Six Thousand (\$6,000)" for "Ten Thousand (\$10,000)."

In Section 9, line 3, substitute the words and figures "Six Thousand (\$6,000)" for "Ten Thousand (\$10,000) "

In line 11 of same section amend to make it read. "One to six" instead of "One to Ten "

Section 11, line 3, substitute the words "One-fourth (1-4)" for "one-half (1-2) "

In Section 16, lines 4 and 5, substitute the words and figures "Twelve Thousand (\$12,000)" for "Fifteen Thousand (\$15,000)."

In lines 6 and 9 same section substitute the words and figures Six Thousand (\$6000) for Ten Thousand (\$10,000).

In lines 16 and 17 of same section change the words and figures "Ten Thousand (\$10,000)" to the words and figures "Six Thousand (\$6,000)."

And as amended the Bill do pass.

That Senate Bill No. 73 do pass without amendment.

That House Bill No. 217 be amended by striking out the emergency clause.

That House Bill No. 329 be amended by striking out of the title the words "and declaring an emergency," and that further consideration be postponed, and that it be placed at the head of the calendar.

That House Bill No. 257 be amended by striking out Section 9, and substituting the following section to be known as Section 9 "Section 9. The provisions of this Act shall not apply to Government land drawings, or to Carey Act land drawings, or to the partitioning or division of real property and improvements thereon between joint owners or tenants in common, by lot or any other method that such joint owners or tenants in common, or their representatives, may agree upon.

That House Bill No 59 be indefinitely postponed.

That House Bills No. 282 do pass without amendment.

That House Bill No. 311 be indefinitely postponed.

DAVIS,
Chairman.

Kerby moved the adoption of the report of the Committee of the Whole.

Seconded by Morgan.

Crow moved to adjourn.

Seconded by Davis.

Motion lost.

Crow moved, as a substitute motion, the adoption of the report, with the exception of the recommendation with regard to House Bill No. 59.

Seconded by Black.

Motion lost.

The question then was on the motion of Kerby to adopt the report.

Motion carried.

Hellekson moved House adjourn until 9 o'clock tomorrow morning

Motion seconded by Morgan.

Motion carried.

House adjourned.

CHARLES D. STOREY,
Speaker.

JAMES H. WALLIS
Chief Clerk.

FRIDAY, FIFTY-FOURTH DAY, FEBRUARY 24, 1911.

Morning Session.

Hall of the House of Representatives, Boise, Idaho, Feb. 24, 1911.

House met pursuant to adjournment. Mr. Speaker in the chair.

Prayer was offered by the Chaplain.

Roll call showed all members present except Glennon who was excused.

The Journal for the fifty-third day was then read.

The Committee on Journal submitted the following report:

Mr. Speaker:

Your Committee on Journal herewith reports that it has had under consideration the Journal for the fifty-third day and has corrected the same, and moves that the Journal for that day be approved.

WARNICK,
Chairman.

Report adopted and Journal for fifty-third day approved.

Messages From the Senate.

Mr. Speaker:

I have the honor to request the return to the Senate of the engrossed copy of House Bill No. 53 for the purpose of making correction of the record.

CHARLES J. LISLE,
Assistant Secretary of Senate.

House Bill No. 53 returned to the Senate.

Presentation of Petitions and Communications.

Nielsen presented a petition of the citizens of Bear Lake County against House Bill No. 292 by Terrell. Petition attached to bill.

Reports of Standing Committees.

The Committee on Printing submitted the following report:

Mr. Speaker:

Your Committee on Printing herewith report that we have had correctly printed and distributed the following:

House Bills Nos. 366, 360, 422, 423, 431, 439, 381, 421, 424, 425, 433 and 296.

House Joint Resolutions Nos. 24 and 26. Amendments to House Bills Nos. 183 and 249 and Senate Bill No. 10 and the following have been read by copy, corrected and sent to the printer:

House Bills Nos. 446 and 447.

JONES,
Chairman.

Report received.

The Committee on Revenue and Taxation submitted the following report:

Mr. Speaker:

We, your Committee on Revenue and Taxation, having had under consideration House Bills Nos. 364, 381 and 415, submit the following report:

That House Bill No. 364, by Bradford, and House Bill No. 381, by Nihart, do pass, and that House Bill No. 415, by Committee on Roads, Bridges and Ferries, is hereby returned back to the House without recommendation.

FARMIN,
Chairman.

Report adopted, and House Bills Nos. 364 and 381 referred to Engrossing Committee and ordered engrossed.

The Committee on Cities, Towns and Other Municipal Corporations submitted the following report:

Mr. Speaker:

Your Committee on Cities, Towns and Other Municipal Corporations, having had under consideration House Bill No. 354, by Terrell (by request), recommend that it be amended as follows:

Strike out all of the title and substitute therefor the following words:

"To amend Chapter 5, Title 13, of the Political Code of Idaho by adding thereto Section 2238a, relating to the powers of cities and villages."

Between the enacting clause and the beginning of line 1 insert the following words:

"Section 1. That Chapter 5, Title 13, of the Political Code of Idaho be and the same is hereby amended by adding thereto the following section:"

In line 1 change the words and figures "Section 1" to read "Section 2238a," and in line 1 change the words "Revised Codes" to read "Political Code."

And that said bill as amended do pass.

Also House Bill No. 313, by Black and Edgington, and recommend that it do pass.

Also House Bill No. 439, by Committee on Cities, Towns and Other Municipal Corporations, and recommend that it do pass.

BLACK,
Chairman.

Report adopted, and House Bills Nos. 313 and 439 referred to Engrossing Committee and ordered engrossed.

The Committee on State Affairs submitted the following report:

Majority Report.

Mr. Speaker:

We, the majority members of the State Affairs Committee, having had under consideration Senate Bill No. 108, by Macbeth and Kerns, beg leave to submit the following amendment: In Section 3, line... after the word "Government" insert the following: "covering all State administrations from and after the year 1890." And in Section 4, line..., strike out the words and figures "five thousand dollars

(\$5,000)" and substitute the words and figures "ten thousand dollars (\$10,000) in lieu thereof. We recommend that the bill do pass as amended.

FEATHERSTONE,
BRADFORD,
JOHNSTON.

Minority Report.

Mr. Speaker:

We, the minority members of the committee, beg leave to report that we recommend that the bill do pass without amendment.

NELSON,
PINCOCK.

Reports received.

The Committee on Roads, Bridges and Ferries submitted the following report:

Mr. Speaker:

We, your Committee on Roads, Bridges and Ferries, having had under consideration Senate Bill No. 62, by Pugmire and Preston, and Senate Bill No. 90, by Whitcomb and Macbeth, herewith return same with the recommendation that they be referred to the Appropriations Committee.

We have also had under consideration Senate Bill No. 122, by Shawhan, and return same with the recommendation that it do pass.

Also Senate Bill No. 150, by Freehafer, and recommend that same be amended by adding an emergency clause, and that as so amended the bill do pass.

JACOBS,
Chairman.

Report adopted, and Senate Bill No. 122 filed for third reading, and Senate Bills Nos. 62 and 90 referred to Appropriations Committee.

The Committee on State Affairs submitted the following reports:

Mr. Speaker:

We, your Committee on State Affairs, having had under consideration House Bill No. 430 by Hutten and Holmberg, beg leave to submit the following amendment: In Section 1, line . ., after the word "work" insert the words "executed" "and all," and in line . ., of same section, strike out the word "executed" after the word "merchandise." In Section 2, Line . ., after the word "work" insert the words "executed, and all" and in line, of same section, strike out the word "executed" after the word "merchandise."

We recommend that the Bill do pass as amended.

Also having had under consideration House Bill No. 440, by Committee on State Affairs, beg leave to report that we recommend that the Bill do pass.

Also, House Bill No. 362, by Featherstone, by request, and recommend that the Bill do pass.

Also, House Bill No. 410, by Jacobs, and recommend that the Bill do not pass, because its provisions are already contained in the Statute it proposes to amend.

Also, House Bill No. 350, by Hanmer and Leaf, recommend that the Bill do pass.

Also, House Bill No. 443, by Nihart, and recommend that the Bill do pass

Also House Joint Resolution No. 27, by Nihart, and recommend that the Resolution be adopted.

Also House Bill No. 428 by Sanborn, Farmin and Jones, and recommend that the Bill do pass

Also House Bill No. 353 by Nihart, and recommend that the Bill do not pass.

Also House Bill No. 367 by Bradford, by request, and recommend

that the Bill do not pass

Also House Bill No. 289 by Taylor, Nihart, Glennon, Smith and Bower, and recommend that the Bill be placed on the General Calendar.

Also Senatet Bill No 82, by St Clair, and recommend that the Bill do pass.

JOHNSTON,
Chairman.

Report adopted and House Bills Nos. 440, 362, 350, 443, 428 and House Joint Resolution No. 27 be referred to Engrossing Committee and ordered engrossed; and Senate Bill No 82 be filed for third reading

The Committee on Appropriations submitted the following report:
Mr. Speaker:

We, your Committee on Appropriations, having had under consideration House Bill No. 270, by Crow, hereby renders its report as follows:

We recommend that the bill do pass

Also Senate Bill No. 18, by Whitcomb, and report the same back without recommendation.

Also House Bill No 327, by Arthur and Friend, and recommends that the same do pass as amended by the Committee on Roads, Bridges and Ferries.

Also House Bill No. 259, by Warnick, and recommends that the same do not pass.

Also House Bill No 335, by Eimers, Jacobs and Bell, and recommends that the bill do not pass.

Also House Bill No. 201, by Ceaser, and recommends that the same do not pass

BELL,
Chairman.

Report adopted and House Bill No 270 referred to Engrossing Committee and ordered engrossed.

Warnick moved that House Bill No. 259 be referred to Committee on Education. Seconded by Smith.

Motion carried and bill so referred.

Upon motion of Featherstone, unanimous consent was given to withdraw the report on House Bill No. 404, by Terrell, and submit a new report.

The Judiciary Committee submitted the following report:
Mr. Speaker:

Your Judiciary Committee having had under consideration House Bill No. 404, by Terrell hereby report said bill back to the House with the recommendation that said bill do pass

FEATHERSTONE,
Chairman.

Report adopted and House Bill No. 404 referred to Engrossing Committee and ordered engrossed.

Black asked that House Bill No 268 be referred to the Appropriations Committee.

Consent was given and the bill so referred.

Message From the Senate.

Mr Speaker.

I have the honor to transmit herewith House Bill No. 53, as amended by the Senate, which has passed the Senate.

CHARLES J. LISLE,
Assistant Secretary of Senate.

Hanmer asked to withdraw the report on House Bill No 316 and submit a new report.

Consent given.

The Committee on Education submitted the following report:

Mr. Speaker:

We, your Committee on Education, having had under consideration House Bill No. 316, by Hill, Galloway and Pincock, report the same back to the House with the recommendation that same be amended as follows:

Line 15, Section 1, strike out after the word "of" all the remaining part of the section and insert "the general fund of the State at the rate of one hundred dollars (\$100) per child, provided that no more than four thousand dollars (\$4,000) shall be appropriated for said purpose." And that the bill as amended do pass.

Also House Bill No. 86, by Sanborn (Substitute for House Bill No. 11), and recommend that the same be amended as follows:

In the second line of the title, after the word "all," insert the word "saloon."

In line 9, after the word "licenses" insert the words "except saloon licenses."

In line 10 strike out the word "general" and the word "county" and write in place of the word "county" the words "school district."

After line 12, add "provided that fifty (50) per cent of all licenses shall be applied to and constitute a part of the general school fund of the county."

In line 13 after the word "Provided" add the word "further."

In line 14 after the word "charters" add the words "except saloon licenses."

In line 13 strike out the word "general" and the word "county" the words "school district."

And that the bill as amended do pass.

Also House Bill No. 147, by Gibson, and return the same to the House without recommendation.

Also House Bill No. 297, by Warnick and Hill, and recommend that same be amended as follows:

In Section 5, line 7, after the word "such" insert the word "apportionment."

Line 8, Section 5, change the words and figures "thirty (30)" to "twenty (20)" and strike out the words "bona fide" in the same line.

Line 9, Section 5, strike out the words "daily attendance" and insert the words "bona fide students enrolled."

And that the bill as amended do pass.

HANMER,
Chairman.

Report adopted.

Motions and Resolutions.

Terrell moved that the Chief Clerk be instructed to furnish each member of the Legislature with 1,000 additional letter heads and 500 envelopes. Seconded by Jacobs.

Motion carried.

Strode moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that the Senate amendments to House Bill No. 53 be read a first and second time, and the bill, as amended, be read the third time at length, section by section, and be put upon its final passage.

Seconded by Featherstone.

The question being on the suspension of the rules, roll was called with the following result:

Ayes—Allred, Arthur, Baldridge, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 50. Ayes, 50. Nays, 0. Absent, not voting 9.

And so the rules were suspended.

Senate amendments to House Bill No. 53 were then read a first and second time

HOUSE BILL NO 53, BY STRODE AND FEATHERSTONE, AS AMENDED BY THE SENATE, was then read the third time at length, section by section for final action.

The question being, "Shall the bill as amended pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldridge, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 51. Ayes, 51. Nays, 0. Absent, not voting, 8.

And so the bill passed, title approved, and House Bill No 53 was ordered enrolled.

Messages From the Senate.

Mr. Speaker:

I have the honor to transmit herewith House Bill No. 64, as amended by the Senate; House Bill No. 198, Senate Bills Nos. 97, 144, 136, 145, which have passed the Senate.

Also House Bill No. 123, as amended by the Senate; House Bills Nos 192 and 2, and Senate Bill No. 70, which have passed the Senate.

CHARLES J LISLE,
Assistant Secretary of Senate.

First Reading of Printed Amendments to House Bills.

Printed amendments to the following House Bills were read first time in full:

H. B. No. 237.
H. B. No. 183
H. B. No. 249.
H. B. No. 204.
H B. No. 275.

Second Reading of Printed Amendments to House Bills.

Printed amendments to the following House Bills were read second time in full:

H. B. No. 277.

Second Reading and Reference of House Bills, Concurrent Resolutions and Joint Memorials.

The following House Bills were read the second time in full:

H. B. No. 446, by Committee on Live Stock.

H. B. No. 447 by Smith.

Reference of Bills.

Speaker referred the following House Bills to their respective committees:

H. B. No. 357—Roads, Bridges and Ferries.

H. B. No. 446—Live Stock.

H. B. No. 447—Irrigation, Reservoirs and Reclamation.

First Reading of Senate Bills, Concurrent Resolutions and Joint Memorials.

The following Senate Bills were read first time in full:

S. B. No. 70 by St. Clair.

S. B. No. 97, by Macbeth.

S. B. No. 144 by Judiciary Committee.

S. B. No. 136 by Committee on Corporations.

S. B. No. 145 by St. Clair.

S. B. No. 30 by Whitcomb.

S. B. No. 116 by Preston.

First Reading of Printed Amendments to Senate Bills.

Printed amendments to the following Senate bills were read first time in full:

S. B. No. 10.

S. B. No. 3.

S. B. No. 50

Second Reading and Reference of Senate Bills, Concurrent Resolutions and Joint Memorials.

The following Senate Bills were read second time in full:

S. B. No. 120.

S. B. No. 149.

S. B. No. 157.

S. B. No. 140.

S. B. No. 89.

S. B. No. 59.

S. B. No. 138.

S. B. No. 134.

Reference of Senate Bills.

The Speaker referred the following Senate Bills to their respective committees:

S. B. No. 120, Roads, Bridges and Ferries.

S. B. No. 149, Agriculture and Horticulture.

S. B. No. 157, State Affairs.

S. B. No. 140, Judiciary.

S. B. No. 89, Agriculture and Horticulture.

S. B. No. 59, Revenue and Taxation.

S. B. No. 138, County Lines and Boundaries.

S. B. No. 134, County Lines and Boundaries.

Third Reading of House Bills, Concurrent Resolutions and Joint Memorials and Final Action Thereon.

HOUSE BILL NO. 422 BY BRADLEY, BALDRIDGE, NIHART, OAKES, BELL, JACOBS, BERRY, MORGAN, BOWER, TERRELL, HENDRICKS, BURRELL, SMITH, NIELSEN, ARTHUR, WARNICK, ALLRED, JAYNE, HILL AND HELLEKSON, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes: Allred, Baldrige, Bell, Berry, Bower, Bradley, Hellekson, Hendricks, Hill, Hyde, Jacobs, Jones, Morgan, Nielsen, Nihart, Oakes, Pincock, Terrell, Thompson, Warnick, Mr. Speaker

Nays: Arthur, Black, Bradford, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Elmers, Farmin, Featherstone, Friend, Galloway, Gibson, Holmberg, Hutton, Jayne, Jenson, Johnson, Johnston, Kerby, Leaf, McCabe, Nelson, Parker, Sanborn, Sorenson, Stephens, Taylor, Walker, Wilson, Wood.

Total number of votes, 55 Ayes, 21 Nays, 34 Absent, not voting, 4.

And so House Bill No. 422 failed to pass.

HOUSE BILL NO. 360, BY BALDRIDGE, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Farmin, Featherstone, Friend, Galloway, Gibson, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 56. Ayes, 56. Nays, none. Absent, not voting, 3.

And so the bill passed, title was approved, and House Bill No. 360 was transmitted to the Senate

HOUSE BILL NO. 421, BY DAVIS, read third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Farmin, Featherstone, Galloway, Gibson, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 56. Ayes, 56. Nays, none. Absent, not voting, 3.

And so the bill passed, title was approved, and House Bill No. 421 was ordered transmitted to the Senate.

HOUSE JOINT RESOLUTION NO. 16, BY BLACK, read a third time at length, section by section, for final action.

The question being "Shall the resolution pass?" roll was called with the following result:

Ayes—Arthur, Baldrige, Bell, Black, Bower, Bradford, Burrell, Ceaser, Davis, Edgington, Farmin, Featherstone, Jacobs, Johnson, Jones, McCabe, Oakes, Sanborn, Smith, Taylor, Thompson.

Nays—Allred, Berry, Bradley, Dunning, Eckles, Galloway, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jayne, Jenson, Kerby, Leaf, Morgan, Nielsen, Nihart, Parker, Pincock, Sorenson, Stephens, Terrell, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Total number of votes, 50. Ayes, 21. Nays, 29. Absent, not voting, 9.

And so the resolution failed to pass.

Galloway moved that House resolve itself into Committee of the Whole for the consideration of Senate Bill No. 74.

Seconded by Walker.

Motion carried.

House In Committee of the Whole.

House resolved itself into Committee of the Whole for the consideration of Senate Bill No. 74. Black in the chair.

House In Regular Session.

The Committee of the Whole submitted the following report:

Mr. Speaker:

The Committee of the Whole has had under consideration as a special order Senate Bill No. 74, by Freehafer, and recommend that said bill do pass without amendment.

BLACK,
Chairman.

Moved by Black, and seconded by Bell, that report of the Committee of the Whole be adopted.

Motion carried.

Unanimous consent of the House was given to return to the Ninth Order of Business.

Motions and Resolutions.

The Committee on Rules submitted the following report:

Mr. Speaker:

We, your Committee on Rules, beg leave to recommend that the order of business as provided in House Rule No. 40, be amended by striking out of Order 17 the word "House" and by striking out all of Order 20.

DAVIS,
Chairman.

Davis moved the adoption of the above report.

Seconded by Black.

Motion carried.

Report adopted.

Moved by Black and seconded by Jacobs that when we adjourn that it be until 1:30 p. m.

Motion carried.

On motion of Jensen, House took a recess until 1:30 p. m.

Afternoon Session.

House met pursuant to adjournment. Mr. Speaker in the chair.

Roll call showed all members present except Glennon and Crow, who were excused.

Reports of Standing Committees.

The Committee on Printing submitted the following report:

Mr. Speaker:

Your Committee on Printing herewith report that we have had correctly printed and distributed the following:

House Bills Nos. 317, 398, 420 and 436; House Joint Resolution No. 25; amendments to House Bills Nos. 204, 237 and 275, and amendments to Senate Bills Nos. 3 and 50.

JONES,
Chairman.

Report received.

The following report, on the cost of printing to date, as requested by the House, was submitted by the Committee on Printing:

Mr. Speaker:

We, your Committee on Printing, beg to report the total cost of printing for the House of Representatives up to February 21st is \$2,-378.15, as per the itemized bill attached hereto.

JONES,
Chairman.

Report received.

The Committee on Education submitted the following report:

Mr. Speaker:

We, your Committee on Education, beg leave to report that we have had under consideration House Bill No. 240, by Committee on Education, and recommend that same be amended as follows:

In Section 21, line 8, strike out the word "meant" and insert the words "defined as being."

In Article 111, beginning with the parenthesis, strike out all in the parenthesis, including the parenthesis.

In Section 36, line 11, after the word "unless" insert the words "he be."

In Section 37, line 25, strike out the words "require his assistant or assistants."

In Section 39, line 5, after the word "Provided" insert the word "That," and in line 6, same section, after the word "carry" insert the word "out," and strike out the words "into effect" and insert in lieu thereof the words "of this section."

In Section 54 (a), line 4, change the word "Saturday" to "Monday," and "April" to "June."

On page 44, between lines 28 and 29, strike out the "pie line."

In line 30, same page, after the word "wives" insert the words "who are qualified electors."

In Section 57, line 3, change the word "Saturday" to "Monday."

In line 34, Section 57 (g), following the colon insert "Provided, That all such repairs and construction work shall be submitted to a competitive sealed bid when such work required shall exceed the amount of one hundred dollars (\$100)." After the word "Provided," in the same line, add "further"

In Section 67, line 9, strike out the word "he," and after the word "shall" insert "be" and add "ed" to the word "apportion"

In the same section, line 15, after the word "school," add the word "shall," after "not," in the same line, strike out the word "to."

Line 17, same section, strike out "The remaining balance of the whole amount, or such of the same as may be needed," and insert in lieu thereof the following: "Six-nineteenths of the remainder, which is ten per cent of the whole amount, or so much thereof as may be needed." Strike out in line 18, same section, the words "to help" and insert in lieu thereof "for the benefit of."

In line 19, same section, after the word "Act" add "which are unable."

Line 20, same section, strike out the word "have" after "districts," and substitute therefor "after having."

Same line strike out the word "and" and "tax"

In line 21, change the comma, after the word "term" to a period and capitalize the word "the" next following.

In the same line change the word "to" after "superintendent" to "shall."

In line 22 strike out the word "remaining," and in the same line after the word "amount" add "remaining after such aid is given."

In line 27, same section, strike out the word "he" and substitute therefor "the county superintendent."

In Section 70, line 11, change the word "inoperative" to "mandatory."

In Section 76, line 4, change the word "decided" to "decides."

Same section, line 7, change the word "fifteen" to "twelve."

In Section 54, line 7, after the word "be" insert the words "published for two issues in a newspaper published nearest the place of holding said elections."

In Section 89, line 3, strike out the words "upon the fourth Thursday in."

In Section 90, line 3, after the first word "Certificates" insert the words "Specialist's State Certificates," and in the same line after the word "years" insert the words "four years."

In Section 91 insert after "91" "(a)."

Insert as additional sub-section to section 91, the following:

"(b). The State Board of Education may issue Specialists' State certificates, good only for special teachers of music, drawing, manual training, domestic science and physical education, to persons of good moral character who are graduates from approved schools which offer courses of not less than two (2) years' work in any of the above mentioned special departments, Provided: That all candidates for such specialists' state certificates as above provided shall first present satisfactory evidence of having completed an academic course of a grade not lower than graduation from an approved high school before having entered upon such special course of two years' work, and,

Provided, Further, that such specialist's state certificate shall authorize the holders to teach only in the special department or departments mentioned in said certificate."

In Section 94, Line 4, after the word "Board" add "of Education."

In Section 102 (b) after the word "certificate" add "issued in accordance with this Act or in force at the time of its enactment and in line 12, same section, following the word "certificate" change the word "A" to "Such."

In Section 119, change the heading "Number of Instructors" to "Commission May Discontinue School."

In Section 125, Line 4, after the word "held" insert "on the legal house site" and in line 6, same section after the word "election" add the words "To be opened for voting four hours" and in Line 7, after the word "have" add "rendered thirty days within such school district and have."

In Line 12, after the word "by" insert the word "secret" and after the word "ballot" insert the words "which ballots and list of votes must be kept for sixty days by the Secretary of said school board."

In section 127, Line 6, after the word "house" insert "on legal site."

In Section 129, Line 24, subdivision 6, following the word "lots," change the semi-colon to a colon and add "when authorized by a two-thirds vote of the qualified electors of such district";

On page 96, Line 13, before the heading "Independent School Districts" insert "(b)"

In the first line on page 97 change the word "arrangements" to "contracts"

In Section 133, at the end of the section add "All the provisions of this Code applicable to Independent School districts shall also apply to special independent School districts."

In section 134, Line 7, after the first word "a" in the beginning of the line insert "rural." In line 10, same section after the word "not," insert "except with the unanimous consent of the Board of County Commissioners" and in line 11, after the word "than," add "that included within"

In Section 135, Line 3, after the word "place" add the words "within such district"

On page 103, line 25, after the word "article," add the words "subsection (a)".

In Section 141, Line 3, after the word "organized" add the word "school" and in line 6, same section after the word "organized" insert the word "school" and in line 10, after the word "organized" add the word "school."

In Article XXII, page 142 change Section 1 to 194 and Section 2 to 195.

And that the Bill as amended do pass

HANMER,
Chairman.

Report adopted.

The Judiciary Committee submitted the following report

Mr. Speaker:

The Judiciary Committee having had under consideration House Bill No 296, by the Committee on Banks and Banking, return the same to the House with the recommendation that same be amended by adding at the end of Section 87 the following:

"The making of contracts between individuals, firms or corporations of this State, or between such individuals, firms or corporations of other States, having no capital stock, providing indemnity among each other from casualty or other contingency, or from fire loss or other damage to their own property, shall not constitute the business of insurance, and shall not be subject to the laws of this State relating to insurance.

However, the attorney, agent, or other representative acting for such individuals, firms or corporations, shall file with the insurance commissioner of this State, a declaration in writing, verified by the oath of such attorney, agent or other representative, setting forth

(a) The name or title of the office through which such individuals, firms or corporations exchange such contracts.

(b) A copy of the form of contract under or by which such indemnity is to be effected.

(c) The location of the office or offices through which such contracts are to be issued.

(d) That service of process may be had upon the Insurance Commissioner in this State in all suits arising out of such contracts.

It is further provided that every attorney, agent, or other representative by or through whom are issued or negotiated any contracts, for indemnity of the character referred to in this Act, shall procure from the Insurance Commissioner annually a certificate of authority stating that all the requirements of this Act, which are applicable, have been complied with, and upon such compliance and the payment of a fee of three dollars (\$3.00) the Insurance Commissioner shall issue such certificate."

And that it do pass as amended.

FEATHERSTONE,
Chairman.

Report adopted.

The Committee on Engrossed and Enrolled Bills submitted the following report:

Mr. Speaker:

We, your Committee on Engrossed and Enrolled Bills, report House Bills Nos. 432, 380, 376, 419, 166, 384, 282, 400, 420, 404, 439, 80, 315 and 263 correctly engrossed.

BOWER,
Acting Chairman.

Report received and House Bills Nos. 432, 380, 376, 419, 166, 384, 404, 439, 80, 315, 263, 282, 400 and 420 filed for third reading.

The Committee on Privileges and Elections submitted the following report.

Mr. Speaker:

We, your Committee on Privileges and Elections, respectfully report that we have had under consideration Senate Joint Resolutions Nos. 12 and 13, and report same back without recommendation.

BRADLEY,
Chairman.

The Committee on Privileges and Elections submitted the following report:

Mr. Speaker:

We, your Committee on Privileges and Elections, respectfully report that we have had under consideration Senate Concurrent Resolution No. 6 and recommend that it do pass; also that we have had under consideration House Bill No. 411 and recommend that it do pass.

BRADLEY,
Chairman.

Report adopted and House Bill No. 411 referred to Engrossing Committee and ordered engrossed.

S. C. R. NO. 6, BY PUGMIRE.

"Whereas, under the present internal revenue laws of the United States, the Government of the United States sells to any person applying therefor, a license to sell intoxicating liquors in any State, or division of the State, regardless of State laws regulating or prohibiting the liquor traffic; and,

"Whereas, It is manifest that the sale of such internal revenue license authorizing the sale of liquor in State, or portions of States, where the sale of the same is prohibited by the State laws, retards and interferes with the proper enforcement of such State laws;

"Therefore, be it resolved by the Senate of the State of Idaho, the House of Representatives concurring herein, That our Senators and Representative in Congress be requested to do everything in their power to have the internal revenue laws of the United States so amended that United States licenses shall not be sold or issued to any person to sell any intoxicating liquors in any State, or portion of a State, where the sale of such liquors is prohibited by the State laws;

"Be it further resolved, That a copy of this resolution be forwarded to our Senators and Representative in Congress by the Secretary of State."

Moved by Morgan, and seconded by Bradley, that the House concur in the adoption of Senate Concurrent Resolution No. 6.

Motion carried, and Senate Concurrent Resolution No. 6, ordered transmitted back to the Senate.

Hutton asked to be relieved from serving on the Committee on Privileges and Elections.

Morgan protested against the resignation of Hutton from that committee.

Resignation accepted.

Message From the Senate.

Mr. Speaker:

I have the honor to transmit herewith Senate Bills Nos. 97, 144, 136, 143 and 70, which have passed the Senate.

Also House Bills Nos. 64, 198, 123, 194 and 2, which have passed the Senate.

Also House Bills Nos. 107, 122, 132, 203, 238, 285, 88 and 3, which have passed the Senate.

Also Senate Bills Nos. 75, 101, 113 and 135, which have passed the Senate.

Also House Bill No 159, as amended by the Senate, House Bill No. 27, as amended by the Senate, and House Bill No. 114, as amended by the Senate, which have passed the Senate.

CHARLES J. LISLE,
Assistant Secretary of Senate.

Mr. Speaker:

I have the honor to request the return of the engrossed copy of House Bill No. 64, as amended and passed in the Senate, for the purpose of correction of the record thereof.

Also the return of the engrossed copy of House Bill No. 123, as amended and passed in the Senate, for the purpose of correction of the record thereof.

CHARLES J. LISLE,
Assistant Secretary of Senate.

House Bills Nos. 64 and 123 returned to the Senate.

Special Order.

The hour of 2 p. m. having arrived, all Joint Resolutions referring to the Initiative, Referendum and Recall, which were made a special order for this time, were brought up for consideration by the House

Moved by Dunning, and seconded by Hellekson, that House Joint Resolution No. 9 be made the First Order of Business

Motion carried.

Morgan moved a call of the house

Seconded by Dunning.

Motion carried.

Roll call showed all members present, except Crow, Eckles, Galloway and Walker.

Sergeant-at-Arms was ordered to bring the absent members in.

Moved by Burrell, and seconded by Eimers, that further proceedings under the call be dispensed with

Motion lost.

Moved by Johnston, and seconded by Davis, that further proceedings under the call be dispensed with.

Motion carried.

Call raised.

HOUSE JOINT RESOLUTION NO. 9, BY JAYNE AND DUNNING, read a third time at length, section by section, for final action.

The question being "Shall the resolution pass?" the roll was called with the following result:

Ayes—Dunning, Eckles, Edgington, Galloway, Gibson, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jayne, Jenson, Kerby, Leaf, Morgan, Nelson, Nihart, Parker, Pincock, Sanborn, Sorenson, Stephens, Strobe, Terrell, Wood.

Nays—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Davis, Eimers, Farmin, Featherstone, Friend, Hanmer, Jacobs, Johnson, Johnston, Jones, Nielsen, Oakes, Smith, Taylor, Thompson, Warnick, Wilson, Mr. Speaker.

Total number of votes, 55. Ayes, 24. Nays, 31. Absent, not voting, 4.

And so the resolution failed to pass.

Dunning moved that House Joint Resolution No. 4 be made the next order of business.

Seconded by Morgan.

Davis moved, as a substitute motion, that House Joint Resolutions Nos. 4, 5 and 6 be indefinitely postponed.

Seconded by Farmin.

Roll call was demanded on the substitute motion by Davis with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Davis, Elmers, Farmin, Featherstone, Friend, Hanmer, Jacobs, Johnson, Johnston, Jones, Nielsen, Nihart, Oakes, Smith, Taylor, Thompson, Warnick, Wilson, Mr. Speaker.

Nays—Dunning, Eckles, Edgington, Galloway, Gibson, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jayne, Jenson, Kerby, Leaf, Morgan, Nelson, Parker, Pincock, Sanborn, Sorenson, Stephens, Strode, Terrell, Wood.

Total number of votes, 55. Ayes, 30. Nays, 25. Absent, 4.

And so the motion prevailed, and House Joint Resolutions Nos. 4, 5 and 6 were indefinitely postponed.

Moved by Dunning and seconded by Morgan that House Joint Resolution No. 17, by Johnson, be now placed upon its final passage.

Davis moved as a substitute motion that House Joint Resolutions Nos. 17 and 18 be indefinitely postponed.

Seconded by Warnick.

Roll call was demanded on the substitute motion by Davis with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Davis, Elmers, Farmin, Featherstone, Friend, Hanmer, Johnston, Jones, Nielsen, Nihart, Oakes, Smith, Taylor, Thompson, Warnick, Mr. Speaker.

Nays—Dunning, Eckles, Edgington, Galloway, Gibson, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Kerby, Leaf, Morgan, Nelson, Parker, Pincock, Sanborn, Sorenson, Stephens, Strode, Terrell, Wilson, Wood.

Total number of votes, 55. Ayes, 27. Nays, 28. Absent, not voting, 4.

And so the motion to indefinitely postpone House Joint Resolutions Nos. 17 and 18 was lost.

HOUSE JOINT RESOLUTION NO. 17, BY JOHNSON, read a third time at length, section by section, for final action.

The question being, "Shall the resolution pass?" roll was called with the following result:

Ayes—Dunning, Eckles, Edgington, Galloway, Gibson, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Kerby, Leaf, Morgan, Nelson, Parker, Pincock, Sanborn, Sorenson, Stephens, Strode, Terrell, Wood.

Nays—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Davis, Elmers, Farmin, Featherstone, Friend, Hanmer, Johnston, Jones, Nielsen, Nihart, Oakes, Smith, Taylor, Thompson, Warnick, Wilson, Mr. Speaker.

Total number of votes, 55. Ayes, 27. Nays, 28. Absent, not voting, 4.

And so House Joint Resolution No. 17 failed to pass.

Dunning moved that House Joint Resolution No. 18 be placed upon its final passage

Seconded by Morgan.

Motion carried.

HOUSE JOINT RESOLUTION NO. 18, BY JOHNSON, read a third time at length, section by section, for final action.

The question being, "Shall the resolution pass?" roll was called with the following result:

Ayes—Dunning, Eckles, Galloway, Gibson, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Kerby, Leaf, Morgan, Nelson, Parker, Pincock, Sanborn, Sorenson, Stephens, Strode, Terrell, Wood.

Nays—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Davis, Eimers, Farmin, Featherstone, Friend, Hanmer, Johnston, Jones, Nielson, Nihart, Oakes, Smith, Taylor, Thompson, Warnick, Wilson, Mr. Speaker.

Total number of votes, 54. Ayes, 26. Nays, 28. Absent, not voting, 5.

And so House Joint Resolution No. 18 was lost.

Davis moved that Senate Joint Resolution No. 13 be placed upon third reading and final passage.

Seconded by Burrell.

Morgan moved, as a substitute motion, that House Joint Resolution No. 19 be put upon third reading and final passage.

Seconded by Dunning.

Motion by Davis withdrawn.

The question then was upon the motion by Morgan to place House Joint Resolution No. 19 on final passage.

Motion carried.

HOUSE JOINT RESOLUTION NO. 19, BY JOHNSON, read a third time at length, section by section, for final action.

Moved by Sanborn, and seconded by Galloway, that House Joint Resolution No. 19 be referred to the Committee of the Whole for amendment.

Motion lost

The question being, "Shall the resolution pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Davis, Dunning, Eckles, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Willson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 55. Ayes, 55. Nays, none. Absent, not voting, 4.

And so the resolution passed, and was ordered transmitted to the Senate.

Moved by Davis, and seconded by Johnston, that House proceed to the final consideration of Senate Joint Resolution No. 13.

Dunning moved, as a substitute motion, that House go into the Committee of the Whole for the purpose of amending Senate Joint Resolution No. 13.

Seconded by Morgan.

Motion lost.

The question being on the final passage of the resolution, roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Davis, Eckles, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Hanmer, Hendricks, Hill, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Jones, Kerby, McCabe, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Taylor, Terrell, Thompson, Warnick, Willson, Wood, Mr. Speaker.

Nays—Dunning, Hellekson, Holmberg, Johnston, Leaf, Morgan, Nelson, Strode, Walker.

Total number of votes, 56. Ayes, 47. Nays, 9. Absent, not voting, 3.

And so the resolution passed and was ordered returned to the Senate.

Senate Bill Signed by the Speaker.

Speaker in the presence of the House signed Senate Bill No. 151.

Moved by Davis and seconded by Burrell that House now proceed to the final consideration of Senate Joint Resolution No. 12.

Motion carried.

SENATE JOINT RESOLUTION NO. 12, BY WHITCOMB, read a third time at length, section by section, for final action.

The question being, "Shall the resolution pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Davis, Dunning, Eckles, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Johnston.

Total number of votes, 56. Ayes, 55. Nays, 1. Absent, not voting, 3. And so Senate Joint Resolution No. 12 passed and was ordered returned to the Senate.

Davis moved that House go into Committee of the Whole for consideration of the General Calendar.

Seconded by Kerby.

Terrell moved as a substitute motion that House proceed to the final consideration of Senate Joint Memorial No. 4.

Seconded by Bradley.

Motion carried.

SENATE JOINT MEMORIAL NO. 4, BY PUGMIRE, read a third time at length, section by section, for final action.

The question being, "Shall the memorial pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Davis, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Morgan, Nelson, Nielsen, Nihart, Oakes, Pincock, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Warnick, Wood, Mr. Speaker.

Nays—Dunning, Eckles, Leaf, McCabe, Parker, Walker, Wilson.

Total number of votes, 53. Ayes, 46. Nays, 7. Absent, not voting, 6.

And so the Memorial passed and was ordered returned to the Senate.

On motion of Davis, seconded by Johnston, House resolved itself into Committee of the Whole for the consideration of the General Calendar.

Motion carried.

House in Committee of the Whole.

House resolved itself into Committee of the Whole for consideration of the General Calendar. Davis in the Chair.

House in Regular Session.

The Committee of the Whole submitted the following report:
Mr. Speaker:

The Committee of the Whole has had under consideration the General Calendar and makes the following recommendations:

That House Bill No. 329 be amended as follows:

Strike out the emergency clause in the title.

In Section 2, line 2, after the word "pleasure" insert the words

"In the manner provided by law for making disposal of corporate property."

In Section 3, line 5, after the word "existing" insert the words "one-half" and at the end of said section after the word "organized" add the words "and the other half shall inure to the common school fund in such county wherein such corporation is situated."

In Section 6, line 6, after the word "animal" insert the following. "in such county during the term of office of such Probate Judge, or until the approval of the appointment and authoritation shall be by said Probate Judge nrevoked, which it is hereby declared to be withi the discretion of the Probate Judge to do at any time."

And as so amended that the bill do pass.

That House Bill No 61 be amended as follows:

At the end of Subdivision 3 add the following: "Provided, however, That the foregoing exemptions shall not apply to debts contracted by any person, firm or corporation, a resident of the State of Idaho, to the amount of two hundred dollars (\$200) for the necessities of life."

At the end of the fifth subdivision add the following: "Provided, however, That the foregoing exemptions shall not apply to debts contracted by any person, firm or corporation, a resident of the State of Idaho, to the amount of two hundred dollars (\$200) for the necessities of life."

At the end of the seventh subdivision add the following. "Provided, however, That the foregoing exemptions in so far as they relate to debts not to exceed two hundred dollars (\$200) contracted for the necessities of life by any person, firm or corporation, a resident of the State of Idaho, shall be limited to the earnings of the judgment debtor for his personal services rendered for not to exceed ten (10) days out of each thirty (30) next preceding the levy of the execution."

At the end of the eighth subdivision add the following: "Provided, however, That the foregoing exemptions shall not apply to debts contracted by any person, firm or corporation, a resident of the State of Idaho, for more than two hundred dollars (\$200) for the necessities of life."

At the end of the twelfth subdivision strike out all after line 68.

And recommend that the bill do pass as amended.

That House Bill No. 292 be amended by striking out all of paragraph 4 of said bill and substitute therefor the following.

"4. From every itinerant vendor of manufactured goods, wares and merchandise, either principal or agent, who shall for the purpose of carrying on their temporary or transient business, hire, lease or occupy any building, tent or structure of any kind for the exhibition or sale of any manufactured goods, wares or merchandise, and who vends, sells or offers to sell such manufactured goods, wares or merchandise, the sum of seventy-five dollars (\$75) per quarter in advance, and no license shall be granted for a term of less than three (3) months: Provided, That no person, company or corporation who has paid an annual tax within the State of Idaho upon the property which he proposes to sell or dispose of shall be required to take out such license; and, provided, further, That the provisions of this Act shall not apply to commercial agents or travelers who sell exclusively by sample or otherwise to regular merchants doing business in this State; and, provided, further, That the provisions of this law shall not apply to farm wagons and implements and farm machinery."

And as so amended that the bill do pass.

That Senate Bill No. 78 be amended as follows:

In Section 1, line 3, strike out the word "shall" and insert the word "may."

In Section 2, line 4, strike out the words and figures "twenty-five (\$25)" and insert in lieu thereof the following "fifteen (\$15)."

In Section 2, lines 5 and 6, strike out the words and figures "for each bear the sum of ten dollars (\$10)."

In Section 1, line 5, insert the word "bear" between the words "each" and "fox."

And as so amended that the bill do pass.

That House Bill No. 195 be amended as follows:

By striking out "Lincoln County" wherever it occurs.

By striking out "Owyhee County" wherever it occurs.

And that as so amended the bill do pass.

That House Bill No. 310 be laid over and retain its place on the calendar.

That House Bill No. 258 be amended as follows:

In lines 3 and 4 of Section 1 strike out the words "water fowl or."

In line 1 of Section 3 insert the word "shotgun" between the words "a" and rifle."

And that as so amended the bill do pass.

That further consideration of House Bill No. 181 be indefinitely postponed.

That House Bill No. 98 be amended as follows:

In Section 1, line 29, after the prior amendment, and before the word "whereupon," insert the following:

"The Court shall charge all costs arising under said action to the party bringing the same unless defendant, personally, shall be guilty of mismanagement or bad faith in the action or defense."

And that as so amended the bill do pass

That House Bill No. 349 be amended as follows:

That there be inserted in the bill, after the enacting clause:

"Section 1. That Section 2415 of the Revised Codes of the State of Idaho be, and the same is, hereby amended to read as follows: Section 2415."

Strike out the words "Section 1."

And that, as so amended, the bill do pass.

DAVIS,
Chairman.

Moved by Davis and seconded by Jones that report of the Committee of the Whole be adopted.

Motion carried.

Report adopted.

Unanimous consent was given to return to the Tenth Order of Business.

Introduction of Bills, Concurrent Resolutions and Joint Memorials.

Unanimous consent was given for the introduction of the following bills:

H. B. NO. 448, BY ALLRED, NIELSEN, WARNICK AND JOHNSTON.

An Act to amend Section 1185 of the Revised Codes relating to importation and inspection of sheep.

H. B. NO. 449, BY DUNNING.

An Act to amend Section 2785 of the Revised Codes of Idaho requiring corporations to pay an annual license fee and prescribing the amount thereof.

First Reading of House Bills, Concurrent Resolutions and Joint Memorials.

The following bills were read first time in full:

H. B. No. 448, by Allred, Nielsen, Warnick and Johnston.

H. B. No. 449, by Dunning.

Message From the Senate.

Mr. Speaker:

I have the honor to transmit herewith:

H. B. No. 144, indefinitely postponed February 24th.

H. B. No. 121, indefinitely postponed February 24th.

H. B. No. 155, indefinitely postponed February 22nd.

H. B. No. 206, indefinitely postponed February 20th.

H. B. No. 192, indefinitely postponed February 20th.

H. B. No. 58, indefinitely postponed February 14th.

House Bill No. 99, indefinitely postponed February 15th.

H. B. No. 50, indefinitely postponed February 16th.

H. B. No. 130, indefinitely postponed February 17th.

H. B. No. 208, Senate voted to indefinitely postpone House action in passing bill over Governor's vote.

CHARLES J. LISLE,
Assistant Secretary of Senate.

Mr. Speaker:

I have the honor to transmit herewith House Bill No. 64, as amended by the Senate, which has passed the Senate

Also House Bill No. 123, as amended by the Senate, which has passed the Senate.

CHARLES J. LISLE,
Assistant Secretary of Senate.

First reading of House Bills as amended by the Senate.

The following House Bills, as amended by the Senate, were read first time in full:

H. B. No. 159,

H. B. No. 27.

H. B. No. 114.

H. B. No. 123.

H. B. No. 64.

Moved by Hill and seconded by Bell that House adjourn until 9 a. m. Saturday.

Motion carried.

House adjourned.

CHARLES D. STOREY,
Speaker.

JAMES H. WALLIS,
Chief Clerk.

SATURDAY, FIFTY-FIFTH DAY, FEBRUARY 25, 1911.**Morning Session.**

Hall of the House of Representatives.

Boise, Idaho, February 25, 1911.

House met pursuant to adjournment. Mr. Speaker in the chair.

Prayer was offered by the Chaplain.

Roll call showed all members present, except Glennon, who was excused.

Journal for the fifty-fourth day was then read.

The Committee on Journal submitted the following report:

Mr. Speaker:

Your Committee on Journal herewith reports that it has had under consideration the Journal for the fifty-fourth day and has corrected the same, and moves that the Journal, for that day be approved.

WARNICK,
Chairman.

Report adopted, and Journal for the fifty-fourth day approved.

Reports of Standing Committees.

The Committee on Printing submitted the following report:
Mr. Speaker:

Your Committee on Printing herewith report that we have had correctly printed and distributed the following: House Bills Nos. 300, 372, 396, 426, 428, 429, 430 and 434. Amendments to House Bill No. 222.

And the following have been read by copy, corrected and sent to the printer: House Bills Nos. 448 and 449.

JONES,
Chairman.

Report received.

The Committee on Private Corporations submitted the following report:

Mr. Speaker:

Your Committee on Private Corporations, having had under consideration House Bill No. 255, by Featherstone, hereby return the same to the House with the recommendation that it be amended as follows:

At the end of Section 23-a add the following:

"Any such society, shown by any triennial valuation, subsequent to December 31, 1917, not to have made the improvement herein required shall, within one year thereafter, complete such deficient improvement, or thereafter, as to all new members admitted, be subject, so far as stated rates of contribution are concerned, to the provisions of Section 12 of this Act, applicable in the organization of new societies: Provided, That the contributions and funds of such new members shall be kept separate and apart from the other funds of the society until the required improvement shall be shown by valuation. If such required improvement is not shown by the succeeding triennial valuation, then the said new members may be placed in a separate class and their certificates valued as an independent society in respect of contributions and funds."

Strike out all of Section 23b and Section 23c.

In Section 23d strike out all of line 7.

In line 41, Section 23, after the word "beneficiary" insert word "member."

In line 8 of Section 15 after the word "the" change "license" to "licensee." and that the bill do pass as amended.

BRADFORD,
Chairman.

Report adopted.

The Committee on Cities, Towns and Other Municipal Corporations submitted the following report:

Mr. Speaker:

We, your Committee on Cities, Towns and Other Municipal Corporations, having had under consideration House Bill No. 135, by Morgan, recommend that the same do pass.

Also House Bill No. 300, by Bradford, Crow, Ceaser, Storey and Wilson and return the same to the House and recommend the following amendments:

That the description of the boundaries of Boise City as given in Section 2 be stricken out and that there be inserted in lieu thereof the following described boundaries:

"Beginning at the intersection of the north line of Boise River and the east line of west half of the southwest quarter (W $\frac{1}{2}$ of SW $\frac{1}{4}$) of section thirteen (13), township three (3) north, range two (2) east, B. M.; thence north along said east line and center line of northwest quarter (NW $\frac{1}{4}$) of said section thirteen (13) and the center line of west half (W $\frac{1}{2}$) of section twelve (12), township

three (3) north, range two (2) east to the southerly line of Fort Boise Military Reservation; thence southwesterly along the southerly line of said Reservation to the southwest corner of same; thence northwesterly along the westerly line of said Reservation to the northwest corner of same; thence northeasterly along the northerly line of said Reservation to the point where the north and south center line of section two (2), township three (3) north, range two (2) east intersects said northerly line of said Reservation; thence north along said center line of said section two (2) and the center line of section thirty-five (35), township four (4) north, range two (2) east, B. M., to the center of said section thirty-five (35); thence west along the center line of said section thirty-five (35) and center line of section thirty-four (34) to the intersection of the southwesterly line of what is known as the foothill road; thence northwesterly along the southwesterly line of the said Foot Hill road to an intersection of the west line of section twenty-eight (28), township four (4) north, range two (2) east; thence south along the west line of said section twenty-eight (28) and the west line of section thirty-three (33), township four (4) north, range two (2) east and the west line of section four (4), township three (3) north, range two (2) east to the north line of Boise River, thence along the north line of Boise River to the place of beginning "

And that the bill as amended do pass

BLACK,
Chairman

Report adopted.

The Committee on Roads, Bridges and Ferries submitted the following report:

Mr. Speaker:

We, your Committee on Roads, Bridges and Ferries, having had under consideration House Bill No 357 and Senate Bill No 120, hereby return the same, with the recommendation that they do pass.

JACOBS,
Chairman

Report adopted and House Bill No. 357 referred to Engrossing Committee and ordered engrossed

The Judiciary Committee submitted the following report:

Mr. Speaker:

We, your Committee on Judiciary, respectfully report that we have had under consideration House Bill No 328 and recommend that it do not pass

Also House Bill No. 372 and recommend that it be placed on the General Calendar.

FEATHERSTONE,
Chairman.

Featherstone moved that the report be adopted.

Seconded by Crow.

Motion carried.

The Committee on Agriculture and Horticulture submitted the following report:

Mr. Speaker:

We, your Committee on Agriculture and Horticulture having had under consideration Senate Bills Nos 89 and 149, recommend the same do pass, also House Bill No. 269, recommend same do not pass.

SMITH,
Chairman

Report adopted, and Senate Bills Nos. 89 and 149 filed for third reading.

The Committee on Judiciary submitted the following report:
Mr. Speaker:

Your Judiciary Committee having had under consideration House Bill No. 332, by Galloway, recommend the following be added to the end of Section 3:

"Provided, however, That the provisions of this Act shall not apply to the appraisement and sale of lots in townsites the title to which is held in trust by the authorities of any incorporated village, town or city under the laws of the United States."

And that said bill do pass as amended.

FEATHERSTONE,
Chairman.

Report adopted.

First Reading of Printed Amendments to House Bills.

Printed amendments to House Bill No. 222 were read first time in full.

Second Reading and Reference of House Bills, Joint Resolutions and Memorials.

The following House Bills were read second time in full:

H. B. No. 448, by Allred, Nielsen, Warnick and Johnston

H. B. No. 449, by Dunning.

Reference of Bills.

The Speaker referred the following House Bills to their respective committees:

H. B. No. 448, Live Stock.

H. B. No. 449, State Affairs.

Second Reading of Printed Amendments to House Bills.

Printed amendments to the following House Bills were read second time:

H. B. No. 204.

H. B. No. 275.

H. B. No. 183.

H. B. No. 237.

H. B. No. 249.

Second Reading of Printed Amendments to Senate Bills.

Printed amendments to the following Senate Bills were read second time:

S. B. No. 3.

S. B. No. 10.

S. B. No. 50.

Second Reading and Reference of Senate Bills, Joint Resolutions and Memorials.

The following Senate Bills were read second time:

S. B. No. 70.

S. B. No. 97.

S. B. No. 144.

S. B. No. 136.

S. B. No. 145.

S. B. No. 30.

S. B. No. 116.

The Speaker referred the following Senate Bills to their respective committees:

S. B. No. 70, Privileges and Elections.

S. B. No. 145, Judiciary.

S. B. No. 30, Judiciary.

S. B. No. 97, State Affairs.

S. B. No. 144, Judiciary.

S. B. No. 156, Judiciary.

S. B. No. 116, Irrigation, Reservoirs and Reclamation.

Unanimous consent was given Bower to return to the Ninth Order of Business.

Motions and Resolutions.

Bower moved that the House go into Committee of the Whole for the consideration of the following House Bills: Nos. 151, 129, 314, 268, 83, 378, 191, 379, 233, 171, 149, 372, 287, 162, 251, 327, 430, 354 297, 86, 296, and Senate Bill No. 150.

Seconded by Black.

Motion carried.

Committee of the Whole.

House then resolved itself into Committee of the Whole, Black in the chair.

House in Regular Session.

The Committee of the Whole submitted the following report:

Mr. Speaker:

The Committee of the Whole has had under consideration the General Calendar, and reports progress, and asks leave to sit again at 2 o'clock this afternoon.

BLACK,
Chairman.

Johnson moved that the report of the Committee of the Whole be adopted.

Seconded by Hill.

Motion carried.

Third Reading of House and Senate Bills, Concurrent Resolutions and Joint Memorials and Final Action Thereon.

HOUSE BILL NO. 299, BY COMMITTEE ON MINES AND MINING, read a third time at length, section by section, for final action.

Moved by Featherstone and seconded by Davis that House Bill No. 299 be indefinitely postponed.

Moved by Hill that the motion to indefinitely postpone House Bill No. 299 be laid on the table.

Seconded by Dunning.

Speaker declared the motion by Hill out of order.

Roll call was demanded on the motion to postpone the bill with the following result:

Ayes—Allred, Arthur, Baldrige, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Eimers, Farmin, Featherstone, Hendricks, Holmberg, Jenson, Johnson, Johnston, Morgan, McCabe, Nelson, Nielsen, Oakes, Smith, Taylor, Terrell, Thompson, Warnick, Wilson, Mr. Speaker.

Nays—Dunning, Eckles, Edgington, Friend, Galloway, Gibson, Hammer, Hellekson, Hill, Hutton, Hyde, Jacobs, Jayne, Jones, Kerby, Nihart, Parker, Pincock, Sanborn, Sorenson, Stephens, Strode, Walker, Wood.

Total number of votes, 56. Ayes, 32. Nays, 24. Absent, not voting, 3.

And so the motion prevailed and House Bill No. 299 was indefinitely postponed.

HOUSE JOINT RESOLUTION NO. 24, BY BRADFORD, read a third time at length, section by section, for final action

The question being "Shall the resolution pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Smith, Sorenson, Stephens, Strode, Taylor, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Eckles, Sanborn.

Total number of votes, 54. Ayes, 52. Nays, 2. Absent, not voting, 5.

And so the resolution passed, title was approved, and House Joint Resolution No. 24 was ordered transmitted to the Senate.

SENATE BILL NO. 80, BY GOODING, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, McCabe, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Stephens, Taylor, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Morgan, Nelson, Strode, Walker.

Total number of votes, 49. Ayes, 45. Nays, 4. Absent, not voting 10.

And so the bill passed, title was approved, and Senate Bill No. 80 returned to the Senate.

SENATE BILL NO. 4, BY COATES, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Berry, Black, Bower, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 54. Ayes, 54. Nays, none. Absent, not voting, 5.

And so the bill passed, title was approved, and Senate Bill No. 4 was returned to the Senate.

HOUSE BILL NO. 419, BY DUNNING, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 55. Ayes, 55. Nays, none. Absent, not voting, 4.

And so the bill passed, title was approved, and House Bill No. 419 was ordered transmitted to the Senate.

SENATE BILL NO. 52, BY POOLE, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Dunning, Hellekson, Hill, Hutton, Jensen, Nelson, Sanborn, Sorenson, Stephens, Strode, Walker, Wood.

Nays—Allred, Arthur, Black, Bower, Bradley, Burrell, Ceaser, Crow, Davis, Eckles, Eimers, Farmin, Featherstone, Gibson, Hendricks, Holmberg, Hyde, Jacobs, Jayne, Johnson, Johnston, Jones, McCabe, Nielsen, Nihart, Oakes, Parker, Pincock, Smith, Terrell, Warnick, Wilson, Mr. Speaker.

Total number of votes, 45. Ayes, 12. Nays, 33. Absent, not voting, 14.

And so the bill failed to pass, and Senate Bill No. 52 was ordered returned to the Senate.

SENATE BILL NO. 13, BY MACBETH, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Arthur, Dunning, Eckles, Eimers, Gibson, Hellekson, Hill, Holmberg, Hutton, Johnston, Kerby, McCabe, Nelson, Nihart, Parker, Pincock, Sorenson, Strode, Terrell, Thompson, Walker, Wood.

Nays—Allred, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Farmin, Featherstone, Friend, Hendricks, Hyde, Jacobs, Jayne, Johnson, Jones, Nielsen, Oakes, Smith, Stephens, Taylor, Warnick, Wilson, Mr. Speaker.

Total number of votes, 47. Ayes, 22. Nays, 25. Absent, not voting, 12.

And so Senate Bill No. 13 failed to pass, and was ordered returned to the Senate.

HOUSE BILL NO. 166, BY HUTTON, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Johnson, Johnston, Jones, Kerby, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 52. Ayes, 52. Nays, none. Absent, not voting, 7.

And so the bill passed, title was approved and House Bill No. 166 was ordered transmitted to the Senate.

SENATE BILL NO. 18, BY WHITCOMB, read a third time at length, section by section, for final action.

Unanimous consent of the House was given Senator Whitcomb to explain Senate Bill No. 18.

Moved by Morgan, and seconded by Walker, that Senate Bill No. 18 be made a special order for 2 p. m.

Motion carried.

SENATE BILL NO. 51, BY YATES, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Eimers, Farmin, Johnston, McCabe, Wilson, Wood.

Nays—Allred, Arthur, Baldridge, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Dunning, Featherstone, Friend, Galloway, Gibson, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Jones, Kerby, Morgan, Nelson, Nielsen, Niheart, Oakes, Parker, Pincock, Sanborn, Sorenson, Stephens, Strode, Taylor, Walker, Warnick.

Total number of votes, 47. Ayes, 6. Nays, 41. Absent, not voting, 12.

And so Senate Bill No. 51 failed to pass, and was ordered returned to the Senate.

Message From the Governor.

The following message from the Governor regarding House Bill No. 207, was received:

Mr. Speaker and Gentlemen of the House of Representatives:

I have this day approved House Bill No. 207, by Crow, et al., entitled:

"An Act relating to and authorizing the preparation of a reporter's transcript of proceedings on the trial of an action or special proceeding, in lieu of a bill of exceptions; adding a new section, to be known as Section 4434, to part 2, title 8, chapter 7, of the Civil Procedure of the Revised Codes of Idaho."

This bill, in conjunction with House Bills Nos. 209 and 210, which are also this day approved, makes serious innovations upon the appellate practice of the State. Each of these bills has been approved by the Bar Association, having, as I understand, been prepared by a committee of that body after due deliberation and extended consideration. These bills combined will greatly lessen the costs on appeal to our Supreme Court as compared with the procedure heretofore existing and the practice under such procedure. The practice that has grown up amongst the attorneys of the State in regard to appellate proceedings is as greatly responsible for the excessive costs entailed by an appeal to the Supreme Court as is the Code of Civil Procedure. Under this practice, which is wrong in its inception and which has been so universally adopted as to make a change almost impossible without new statutory enactments, transcripts on appeal have become so voluminous as to practically prevent many cases from going to the Supreme Court where one or the other of the parties imagine an injustice has been done by the decision of the lower court, or the verdict of the jury. A great majority of cases on appeal have been taken into the Supreme Court from order granting or refusing motions for a new trial, and the transcripts in a majority of cases we find practically contain all of the evidence given at the trial of the case, in a narrative form, and irrespective of its pertinency to the points made on appeal or its bearing upon the real issues involved in the appeal. This has occasioned more than all other causes the great expense attending appeals; but even if such is the case, I do not feel it incumbent upon me to refuse to sanction the new method provided for in these bills, backed as they are by the Bar Association and by all of the attorneys of the two Houses of the Legislature, and calculated as they are in a practical way to reduce the costs of appellate proceedings.

The worst feature about the practical application of these meas-

ures is the fact that when enacted they will greatly increase the labors of our already overworked Supreme Court. The printing of transcripts no longer will become necessary, and, the entire record going up on appeal, will greatly increase the record it may become necessary to inquire into. There is a marked difference in the labor entailed by the examination of a printed transcript and one that is typewritten, especially where the typewritten record is a carbon copy upon the common glazed paper used for such copies. Considering the fact that the Justices of the Supreme Court have already duties imposed upon them greatly in excess of those which they should be called upon to perform, I would feel impelled to signify my disapproval of this and the other bills in question and suggest that their consideration should be continued over until some future session of the Legislature, after the number of Justices of our Supreme Court had been increased by a constitutional amendment, were it not for the fact that the Supreme Court, by its own rules, may obviate some at least of the suggested objections and protect the Justices in some degree from the threatening evils of the new system.

There are some corrections that, to my mind, should be made to the bills in question to make them perfect. The first section of the bill under consideration at the conclusion thereof provides that "the reporter shall append to the transcript his certificate that the same is a true and correct copy of the testimony taken at the trial, or of such thereof as is designated by the order." As the preparation of this transcript necessarily entails a statement of motions, orders and rulings pertaining to the introduction of the testimony, the part quoted should have provided not only for the certificate of correctness of the testimony, but of all proceedings necessarily contained in a transcript of the testimony. This is especially true in view of the fact that the decision of the trial court does not generally contain a reference to such orders, etc.

The first objection made can not be of much importance because the court itself would have the power to correct any defects in the record suggested by opposing attorneys and the transcript of the reporter would not be binding in any way upon the court or the attorneys if such objection was made. The transcript of the reporter, however, might in many cases cause attorneys of the adverse parties to feel confident of the correctness of the transcript and not give it more than casual examination.

The worst objection that I find, and one which to my mind should especially be met by amendatory legislation, is the fact that Section A of this Act makes no provision for the service of a transcript upon more than one of the adverse parties, or the attorneys for such parties. All that is required under this subdivision of the Act is that service be made upon one of the attorneys for the adverse parties. There are numerous parties in many suits with widely divergent interests. In fact, in very much of our litigation the parties defendant are in no wise identical in interest and the contest between the defendants assumes more serious proportions than that between the plaintiff and the defendants as a whole. In the event the plaintiff becomes the moving party on appeal, he should not be permitted to select one of the defendants as the party upon whom service of transcript should be made because it would make it possible in such event for him to serve a defendant whose interests were practically identical in most points with the interests of the plaintiff himself; nor should one of the defendants, if such defendant saw fit to appeal, be permitted to take such appeal and serve the transcript upon the plaintiff or any one of the moving defendants, or on one of the defendants satisfied with the verdict. I can readily see where great injustice might be worked in certain cases and, therefore, suggest such

amendatory legislation be had immediately as to obviate this difficulty and compel either a copy of the transcript to be served upon all of the parties in interest upon an order of the Court made upon proper motion, or, if such would be deemed impracticable, to adopt some course by which the parties not served would be enabled to readily procure a copy of the transcript, and the expense entailed by procuring such copy would be made a charge against the appellant in the event the decision of the appellate court was finally made against him.

Pardon me for appearing hypercritical and suggesting objections that may appear somewhat trivial, but to an old practitioner such seeming omissions in an Act sometimes appear to be far more serious than will be found warranted by the practical operation of such Act after it takes effect.

Respectfully submitted,

(Signed.)

JAMES H. HAWLEY,

Governor.

Boise, Idaho, February 25, 1911.

House by unanimous consent returned to the Ninth Order of Business.

Nihart introduced the following concurrent resolution and moved its adoption.

H. C. R. NO. 11, BY NIHART.

Relating to the celebration of the one hundredth anniversary of the coming of the citizens of the United State to the Snake River Valley. Be It resolved by the House of Representatives of the State of Idaho, and the Senate Concurring:

That, whereas, on the 16th day of October, 1811, the Hunt party, sent out by the foremost citizen of his day, John Jacob Astor, camped at what was then known as Caldron Linn, now the present site of the town of Milner; and,

Whereas, this point has since become most notable in the irrigation history of the State; now, therefore, be it

Resolved, That Monday, October 16th, 1911, be set apart as a day of celebration in commemoration of the first journey of citizens of the United States through the Snake River Valley, said day to be known as "White Man's Day," and the officers of the State are hereby requested to take part in such ceremonies as may take place in said town of Milner on said day, and the Governor of this State is requested, in case he deems it proper, to invite the descendants of John Jacob Astor, or such of them as may express a desire to be present on said day, to be present at said time and place, and take part in the ceremonies.

Seconded by Dunning.

Motion carried and House Concurrent Resolution No. 11 adopted and ordered transmitted to the Senate.

Message From the Governor.

The following message was received from the Governor:

February 25, 1911.

Mr. Speaker and Members of the House of Representatives:

I have this day approved House Bill No. 209, by Davis, Black, Featherstone, Morgan, Galloway, Glennon, Terrell, Edgington, Bradford Hill and Crow. An Act amending Sections 4440, 4441, 4442, 4443 and 4444 of the Code of Civil Procedure of the Revised Codes of Idaho relating to new trials.

Respectfully,

(Signed)

JAMES H. HAWLEY,

Governor.

Third Reading of House and Senate Bills, Concurrent Resolutions and Joint Memorials and Final Action Thereon.

HOUSE BILL NO. 282, BY HYDE (BY REQUEST), read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Black, Burrell, Ceaser, Davis, Dunning, Eimers, Friend, Gibson, Hanmer, Hendricks, Hill, Holmberg, Hyde, Johnston, Kerby, Nelson, Parker, Pincock, Stephens, Walker, Wood.

Nays—Baldrige, Berry, Bower, Bradley, Farmin, Featherstone, Hellekson, Jacobs, Jayne, Johnson, Jones, Leaf, Morgan, McCabe, Nielsen, Nihart, Oakes, Sanborn, Smith, Strode, Warnick, Wilson, Mr. Speaker.

Total number of votes, 45. Ayes, 23. Nays, 22. Absent, not voting, 14.

And so the bill passed, title was approved, and House Bill No. 282 was ordered transmitted to the Senate.

SENATE BILL NO. 122, BY SHAWHAN, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" the roll was called with the following result.

Ayes—Allred, Arthur, Baldrige, Berry, Black, Bower, Bradley, Burrell, Ceaser, Dunning, Eckles, Eimers, Farmin, Friend, Galloway, Gibson, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Johnson, Jones, Kerby, Morgan, Nelson, Nielsen, Nihart, Oakes, Sanborn, Smith, Stephens, Walker, Wood, Mr. Speaker.

Nays—Davis, Featherstone, Johnston, McCabe, Parker, Pincock, Strode, Warnick, Wilson.

Total number of votes, 48. Ayes, 39. Nays, 9. Absent, not voting, 11.

And so the bill passed, title was approved, and Senate Bill No. 122 was ordered returned to the Senate.

By unanimous consent, House returned to the Ninth Order of Business

Motions and Resolutions.

Moved by Warnick that the vote by which Senate Bill No. 13 failed to pass the House be reconsidered.

Seconded by Dunning.

Motion carried.

SENATE BILL NO. 13, BY MACBETH, then read a third time at length, section by section, for final action

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Berry, Black, Bradley, Burrell, Davis, Eckles, Eimers, Featherstone, Galloway, Gibson, Hellekson, Hendricks, Hill, Holmberg, Hyde, Johnson, Johnston, Morgan, Nielsen, Nihart, Oakes, Parker, Pincock, Smith, Sorenson, Stephens, Strode, Walker, Warnick, Wood.

Nays—Bower, Bradford, Dunning, Farmin, Friend, Hanmer, Jacobs, Jayne, Jones, McCabe, Sanborn, Wilson, Mr. Speaker

Total number of votes, 46. Ayes, 33. Nays, 13. Absent, not voting, 13.

And so the bill passed, title was approved, and Senate Bill No. 13 was ordered transmitted to the Senate.

Moved by Hanmer, and seconded by Walker, that House adjourn until 2 p. m.

Motion carried.

House adjourned.

Afternoon Session.

House met pursuant to adjournment. Mr. Speaker in the Chair.

Roll call showed all members present, except Glennon, who was excused.

Special Order.

Consideration of Senate Bill No. 18, made a special order, was taken up at this time.

Morgan presented a communication on the subject of Senate Bill No. 18, which was read.

Davis moved that further consideration of the bill be indefinitely postponed.

Seconded by Hanmer.

Motion carried, the vote being unanimous.

Morgan moved that for the guidance of future Legislatures in the matter of this claim the above mentioned communication be inserted in the Journal.

Seconded by Dunning.

Motion carried.

Mr. Speaker:

This claim of Parsons, Winter and Boomer has been in many sessions of the Legislature since the Fourth Session, 1897. In the Ninth Session a bill was introduced, House Bill No. 110, by Appropriations Committee (by request) entitled, "An Act to provide for the payment of a judgment rendered against the State of Idaho under Section 10, Article 5, of the State Constitution." This was referred to the Committee on Ways and Means, and I include here their report dated February 16, 1907:

"Mr. Speaker:

"Your Committee on Ways and Means reports that it has had under consideration House Bill No. 110, and reports the same back with the recommendation that it be indefinitely postponed. The committee further reports that on page 160 of the printed copies of the Senate Journal of the Fourth Session is a complete record of this case in evidence; it shows the entire matter up in a fraudulent light and in which a committee which had thoroughly investigated the matter recommend that future Legislatures ignore this matter.

"The committee further recommends that this report be spread upon the Journal to furnish reference for future sessions before which this matter may come.

"BRADLEY,

"WEBSTER,

"JONES,

"BALLANTYNE,

"Committee."

In the Tenth Session Representative Sanborn introduced House Bill No. 205, "An Act for the relief of Winters, Parsons and Boomer," and here is the history of the bill as given on page 580 of the House Journal:

February 12, introduced (p. 163); read first and second time by title under suspension of rules (p. 163); February 16, referred to Appropriations Committee (p. 201); February 19, reported with recommendation that the bill do not pass (p. 221); laid on table (p. 221); February 26, taken from table (p. 284); referred to Printing Committee (p. 284); March 4, reported correctly printed (p. 284); referred for engrossment (p. 358); March 5, reported correctly engrossed (p. 376); filed for third reading (p. 376); indefinitely postponed (p. 412).

In the Seventh Session House Bill No. 69, introduced January 28, 1903, by Representative Werner, provided for this same relief of Winters, Parsons and Boomer. This bill successfully passed the

House by a vote of 25 to 7, but was indefinitely postponed in the Senate.

MORGAN.

Committee of the Whole.

In pursuance with the action taken this morning, House at this time went into Committee of the Whole. Black in the Chair.

House In Regular Session.

The Committee of the Whole submitted the following report:
Mr. Speaker:

The Committee of the Whole has had under consideration the General Calendar and recommend that the amendments to the following House and Senate Bills be adopted:

Nos. 129, 314, 268, 83, 378, 191, 379, 233, 171, 149, 372, 287, 162, 251, 327, 430, 354, 297, 86, 296 and 342 and Senate Bill No. 150.

That House Bill No. 320 be amended as follows:

In line 4, Section 2, insert after the words "then in" the following: "Nor shall it contain any cards, card table, dice, slot machines, billiard or pool tables or any gambling device. Nor shall there be any gambling or gaming or playing at cards, dice, billiards or pool allowed therein"

Add to Section 1, line 6, "or to keep or have in said room any chairs or table or seats of any kind for the use or occupancy of any customer or customers, frequenter or frequenters of said place of business" Change the period to a comma in said line

Also add to Section 1, "The place shall not be open, or sale be made earlier than 6 a. m. or later than 12 p. m."

BLACK,
Chairman.

Black moved the adoption of the report.

Seconded by Davis.

Motion carried.

Message From the Governor.

The following message was received from the Governor

Mr. Speaker and Members of the House of Representatives:

I have this day approved House Bill No. 210, by Morgan, Black, Davis, Featherstone, Galloway, Glennon, Terrell, Hill, Edgington, Bradford and Crow. An Act providing for furnishing the Supreme Court with typewritten copies of papers for use on appeal and the hearing on appeals on such typewritten copies to be prepared by the Clerk of the District Court; amending Section 4818 of the Code of Civil Procedure; Revised Codes of Idaho, and inserting a new section to be known as Section 4820A, in Part 2, Title 3, Chapter 2, of the Code of Civil Procedure of the Revised Codes of Idaho.

In approving the bill, I desire to suggest that under subdivision No. 3 of this Act, in regard to the service of the transcript provided for therein, only one copy of the transcript need be served upon the adverse party, no matter how many adverse parties there may be, as in many cases there are a number of adverse parties who have no community of interest, and who are represented by different attorneys, this in reality would be no service at all, except upon the party served.

In a message approving House Bill No. 207 of this date, I more fully call the attention of your Honorable House to a similar provision, and suggest the propriety of amendatory legislation curing the apparent defect. The suggestions made with reference to House Bill No. 207 apply as fully if not with greater effect to this particular Act, and I would respectfully request this Act be amended

in that regard, thus preventing the possibility of an injustice being done in any action upon an appeal taken to the Supreme Court.

As pointed out in my message on House Bill No. 207, this can readily be done if some course is adopted whereby the required transcripts may be obtained by any party to the proceedings when necessity thereof becomes apparent to the Court having jurisdiction; such copies would be ordered by the party affected and attending expenses made a part of the cost on appeal.

Respectfully submitted,

JAMES H. HAWLEY,

Governor.

Dated February 25, 1911.

Morgan moved that the message be referred to the Judiciary Committee.

Seconded by Hill.

Motion carried and message so referred.

Reports of Standing Committees.

The Committee on Printing submitted the following report:

Mr. Speaker:

Your Committee on Printing herewith report that we have had correctly printed and distributed the following: House Bills Nos. 363, 353, 380, 392, 407, 415, 427, 435 and 240; amendments to House Bills Nos. 77, 217, 257 and 286.

JONES,

Chairman.

Report received.

Jones stated that he had interviewed the printer and ascertained that there were about 35 more bills yet to print, but that the printer had assured him that he was doing everything in his power to print them and hoped to get them all out by Monday morning.

The Committee on Judiciary submitted the following report:

Mr. Speaker:

The Judiciary Committee, having had under consideration Senate Bill No. 131, by the Judiciary Committee, recommend the following amendments:

In Section 1, line 8, after the word "his" strike out the words "unexpired salary" and insert the following: "salary and expenses for the unexpired portion of his term." In line 10 insert the word "immediately" before the word "from." And that the bill do pass as amended.

Also House Bill No. 31, by Nelson, return the same with the recommendation that it do not pass.

Also House Bill No. 346, by Johnson (by request), return same with the recommendation that it do pass.

Also House Bill No. 340, by Davis and Terrell, return the same to the House without recommendation.

Also House Bill No. 431, return same with the recommendation that it do not pass.

Also House Bill No. 425, by Featherstone, return same with the recommendation that it do not pass.

Also House Bill No. 261, return same without recommendation.

Also House Bill No. 260, return same without recommendation.

Also House Bill No. 405, by Crow, with the recommendation that it do pass.

Also House Bill No. 103, by Farmin, Jones and Sanborn, return same with the recommendation that it do not pass.

Also Senate Bill No. 29, return same with the recommendation that it do not pass.

Also House Bill No. 321, by Hutton, return same without recommendation.

Also House Bill No. 279, return same with the recommendation that it do not pass.

Also Senate Bill No. 87, return same with the recommendation that it do pass.

Also Senate Bill No. 85, with the recommendation that it do pass.

Also House Bill No. 438, with the recommendation that it do pass

Also House Bill No. 437, with the recommendation that it do pass.

Also House Bill No. 434, with the recommendation that it do pass.

Also Senate Bill No. 125, with the recommendation that it do pass.

Also Senate Bill No. 92, with the recommendation that it do pass

Also Senate Bill No. 91, with the recommendation that it do pass.

Also House Bill No. 254, recommend that it be amended as follows:

In Section 1, line 6, after the word "any" strike out the words "other agent, servant or employee" and insert the following: "person in the service of the employer entrusted with and exercising superintendence, or of any person acting as superintendent with the authority and consent," and that it do pass as amended.

Also Senate Bill No. 23, with the recommendation that it do not pass.

Also House Bill No. 252, with the recommendation that it do not pass.

FEATHERSTONE,

Chairman.

Moved by Featherstone, seconded by Davis, that the report be adopted.

Motion carried.

The Committee on Education submitted the following report:

Mr. Speaker:

We, your Committee on Education, respectfully report that we have had under consideration House Bill No. 259, by Warnick, and recommend that it do not pass.

Also House Bill No. 444, by Hanmer, and recommend that it be amended as follows.

In the title strike out the words, "contained in," and insert therefor the following, "clearly a duplication of required work as indicated by."

That in Section 1, line 1, after the word "that," insert "hereafter;" after the word "the" and before the word "departments," insert "purely academic;" strike out the word "contained in" and substitute, "clearly a duplication of required work done in the High Schools of the State in fulfillment of."

After the word "act" and before the word "be," change the word "may" to "shall."

In the last line of Section 2 change the word "requirement" to "required."

And as amended that the bill do pass

HANMER,

Chairman.

Hanmer moved that the report be adopted.

Seconded by Bower.

Motion carried.

The Committee on County Lines and Boundaries submitted the following report:

Mr. Speaker:

We, your Committee on County Lines and Boundaries, respectfully report that we have had under consideration House Bill No. 366 and recommend that it be placed on the General Calendar.

JOHNSTON,

Chairman.

Baldrige moved that the report be indefinitely postponed and that further consideration of the bill be indefinitely postponed.

Seconded by Bradley.

Motion carried.

The Committee on Irrigation, Reservoirs and Reclamation submitted the following reports:

Mr. Speaker:

Your Committee on Irrigation, Reservoirs and Reclamation, having had under consideration House Bill No. 397, recommend that it be amended as follows:

In the title, after the word "decreed," insert the words, "or licensed."

In line 4, after the word "adjudicated," insert the words, "or licensed."

In line 7, after the word "decree," insert the words "or license."

Add the following paragraph:

"This section shall not apply in cases where the water allotted to such person may be affected by other users of water on the stream in such a way as would make a water master useful to such person."

NIHART,
Chairman.

Report adopted.

The Committee on Engrossed and Enrolled Bills submitted the following reports:

Mr. Speaker:

We, your Committee on Engrossed and Enrolled Bills, report House Bills Nos. 203, 238, 285, 88, 122, 71, 198, 194, 2, 53 correctly enrolled.

BOWER,
Acting Chairman.

Mr. Speaker:

We, your Committee on Engrossed and Enrolled Bills, report House Bills Nos. 443, 381, 440, 411, 277, 270, 362, 428, 350, 364 and House Joint Resolution No. 27 correctly engrossed.

BOWER,
Acting Chairman.

Report received and House Bills Nos. 443, 381, 440, 411, 277, 270, 362, 428, 350, 364 and House Joint Resolution No. 27 filed for third reading.

The Committee on Privileges and Elections submitted the following:

Majority Report.

Mr. Speaker:

We, your Committee on Privileges and Elections, respectfully report that we have had under consideration Senate Bill No. 70 and recommend that it do pass.

BRADLEY,
Chairman.

Morgan moved that the bill be referred back to the Committee on Privileges and Elections until the minority report can be made.

Seconded by Hendricks.

Motion lost.

Morgan moved that further consideration of the report on Senate Bill No. 70 be postponed until Monday morning at the hour of convening.

Seconded by Davis.

Motion carried.

The Committee on Private Corporations submitted the following report:

Mr. Speaker:

Your Committee on Private Corporations, having had under consideration House Bill No. 402, by Terrell (by request), report the same back to the House with the recommendation that it do pass.

BRADFORD,

Chairman.

Moved by Bradford, seconded by Terrell, that the report be adopted.

Motion carried and House Bill No. 402 referred to Engrossing Committee and ordered engrossed.

The Committee on Engrossed and Enrolled Bills submitted the following report:

Mr. Speaker:

We, your Committee on Engrossed and Enrolled Bills, report House Bills Nos. 204, 415, 442 and 183 correctly engrossed.

BOWER,

Acting Chairman.

Report received and House Bills Nos 204, 415, 442 and 183 filed for third reading

The Committee on Charitable Institutions submitted the following report:

Mr. Speaker:

We, your Committee on Charitable Institutions, having had under consideration House Bill No. 339, by Wilson, recommend that the bill do pass.

WILSON,

Chairman.

Report adopted and House Bill No. 339 referred to Engrossing Committee and ordered engrossed.

Motions and Resolutions.

Kerby moved that the Appropriations Committee report on House Bill No 267 and the Judiciary Committee report on House Bill No. 431 by 9 o'clock Monday morning.

Seconded by Wood.

Motion carried.

Bills Signed by Speaker.

Speaker announced that he was about to sign, and in the presence of the House signed House Bills Nos. 203, 238, 285, 88, 122, 71, 198, 194 and 2

Introduction of Bills, Joint Resolutions and Memorials.

Burrell asked consent to introduce a bill.

Arthur and Friend objected.

Roll call was demanded.

The question being on the granting of permission to the introduction of bills, roll was called with the following result:

Ayes—Allred, Baldrige, Berry, Black, Burrell, Crow, Davis, Dunning, Eckles, Edgington, Farmin, Featherstone, Galloway, Gibson, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jayne, Jenson, Johnson, Jones, Kerby, Leaf, Morgan, McCabe, Nihart, Oakes, Parker, Pincock, Smith, Sorenson, Strode, Taylor, Terrell, Thompson, Warnick, Wood, Mr. Speaker.

Nays—Arthur, Bower, Bradley, Ceaser, Eimers, Friend, Jacobs, Nelson, Nielsen, Stephens, Walker, Wilson.

Total number of votes, 54. Ayes, 42. Nays, 12. Absent, not voting, 5.

And so consent was given Burrell to introduce his bill.

H B NO 450, BY BURRELL

An Act to create and organize the County of Power; to define the

boundaries thereof; and to designate and fix the county seat of Power County; to provide for the transcription of all records of Oneida County, Bingham County, Blaine County and Cassia County relative to property and persons within the boundaries of Power County; and to constitute the County of Power a part of the Fifth Judicial District of the State of Idaho and a part of the Nineteenth Senatorial District of the State of Idaho, until otherwise apportioned by law; and for apportioning the property, moneys and indebtedness of Oneida County, Bingham County, Blaine County and Cassia County as between said counties, respectively, and Power County; and for other purposes incident to the organization of a new county; and repealing all Acts and parts of Acts not consistent with this Act; and declaring an emergency whereby this Act shall be in force and effect from and after its passage and approval.

Burrell moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that House Bill No. 450, the same having been printed, be read the first and second times by title and the third time at length, section by section, and be put upon its final passage.

Seconded by Galloway.

The question being on the suspension of the rules, roll was called with the following result:

Ayes—Allred, Baldridge, Berry, Black, Bradley, Burrell, Crow, Davis, Dunning, Farmin, Featherstone, Gibson, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jayne, Jenson, Johnson, Jones, Morgan, McCabe, Nihart, Oakes, Parker, Pincock, Smith, Sorenson, Strode, Taylor, Terrell, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Arthur, Bower, Ceaser, Eckles, Elmers, Friend, Galloway, Jacobs, Leaf, Nelson, Nielsen, Stephens, Thompson.

Total number of votes, 52. Ayes, 39. Nays, 13. Absent, not voting, 7.

And so the rules were suspended.

HOUSE BILL NO. 450, BY BURRELL, was then read first and second times by title and third time at length, section by section, for final action.

Moved by Strode, and seconded by Hill, that this bill be made a special order for Monday morning at 10 o'clock.

Morgan raised the point of order that the motion was out of order at this time, and that a mere majority can not undo action taken by the House on this bill.

Speaker ruled the point well taken.

A motion was then made by Strode that the House reconsider the vote by which the rules were suspended.

Seconded by Hill.

Roll call was demanded on the motion by Strode with the following result:

Ayes—Arthur, Bower, Ceaser, Eckles, Elmers, Friend, Hellekson, Hill, Jacobs, Nielsen, Strode, Thompson.

Nays—Allred, Baldridge, Berry, Black, Bradley, Burrell, Crow, Davis, Dunning, Farmin, Featherstone, Galloway, Gibson, Hendricks, Holmberg, Hutton, Hyde, Jayne, Jenson, Johnson, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nihart, Oakes, Parker, Pincock, Smith, Sorenson, Stephens, Taylor, Terrell, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Total number of votes, 52. Ayes, 12. Nays, 40. Absent, not voting, 7.

And so the motion to reconsider the vote on suspension was lost.

The question being, "Shall House Bill No. 450 pass?" roll was called with the following result:

Ayes—Allred, Baldridge, Berry, Black, Bradley, Burrell, Crow, Davis, Dunning, Edgington, Farmin, Featherstone, Galloway, Gibson, Hendricks, Holmberg, Hutton, Hyde, Jayne, Jenson, Johnson, Jones, Leaf, Morgan, McCabe, Nihart, Oakes, Parker, Pincock, Smith, Sorenson, Taylor, Terrell, Thompson, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Arthur, Bower, Ceaser, Elmers, Friend, Hanmer, Hellekson, Hill, Jacobs, Kerby, Nelson, Nielsen, Sanborn, Stephens, Strode, Walker.

Total number of votes, 54. Ayes, 38. Nays, 16. Absent, not voting, 5.

And so the bill passed, title was approved, and House Bill No. 450 was ordered transmitted to the Senate.

Unanimous consent was given to return to the Tenth Order of Business.

Introduction of Bills, Concurrent Resolutions and Joint Memorials.

Unanimous consent was given to the introduction of the following bill:

H. B. NO. 451, BY THE JUDICIARY COMMITTEE.

An Act amending Section 3948 of the Code of Civil Procedure of the Revised Codes of Idaho relating to the selection of jurors by the Board of County Commissioners.

First Reading of House Bills, Concurrent Resolutions and Joint Memorials.

The following House Bill was read first time in full:

H. B. No. 451, by Judiciary Committee.

House by unanimous consent returned to the Ninth Order of Business.

Motions and Resolutions.

Black moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that amendments to House Bill No. 296, having been printed, be read the first and second time and referred to the Engrossing Committee with the original bill.

Seconded by Davis.

The question being on the suspension of the rules the roll was called with the following result:

Ayes—Allred, Baldridge, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Elmers, Farmin, Featherstone, Friend, Galloway, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Arthur.

Total number of votes, 52. Ayes, 51. Nays, 1. Absent, not voting, 7.

And so the rules were suspended.

AMENDMENTS TO HOUSE BILL NO. 296 were then read first and second times and with original bill referred to the Engrossing Committee and ordered engrossed.

Black moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section

15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that amendments to House Bill No. 86, having been printed, be read the first and second times and referred to the Engrossing Committee with the original bill.

Seconded by Davis.

The question being on the suspension of the rules, roll was called with the following result:

Ayes—Allred, Baldrige, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Elmers, Farmin, Featherstone, Friend, Galloway, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Arthur.

Total number of votes, 52. Ayes, 51. Nays, 1. Absent, not voting, 7.

And so the rules were suspended.

AMENDMENTS TO HOUSE BILL NO. 86 were then read first and second times and with original bill referred to the Engrossing Committee and ordered engrossed.

Black moved that all rules of the House interfering with the immediate passage to bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that amendments to House Bill No. 297, having been printed, be read the first and second times and referred to the Engrossing Committee with the original bill.

Seconded by Davis.

The question being on the suspension of the rules, roll was called with the following result:

Ayes—Allred, Baldrige, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Elmers, Farmin, Featherstone, Friend, Galloway, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Arthur.

Total number of votes, 52. Ayes, 51. Nays, 1. Absent, not voting, 7.

And so the rules were suspended.

AMENDMENTS TO HOUSE BILL NO. 297 were then read first and second times and with original bill referred to the Engrossing Committee and ordered engrossed.

Black moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that amendments to House Bill No. 354, having been printed, be read the first and second times and referred to the Engrossing Committee with the original bill.

Seconded by Davis.

The question being on the suspension of the rules, roll was called with the following result:

Ayes—Allred, Baldrige, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Elmers, Farmin, Featherstone, Friend, Galloway, Hellekson, Hendricks, Hill, Holmberg, Hutton,

Hyde, Jacobs, Jayne, Jenson, Johnson, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Arthur.

Total number of votes, 52. Ayes, 51. Nays, 1. Absent, not voting, 7.

And so the rules were suspended.

AMENDMENTS TO HOUSE BILL NO 354 were then read first and second times and with original bill referred to the Engrossing Committee and ordered engrossed.

Black moved that all rules of the House interfering with the immediate passage of bills be suspended, that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that amendments to House Bill No. 430, having been printed, be read the first and second times and referred to the Engrossing Committee with the original bill

Seconded by Davis.

The question being on the suspension of the rules, roll was called with the following result:

Ayes—Allred, Baldrige, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Eimers, Farmin, Featherstone, Friend, Galloway, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Arthur.

Total number of votes, 52. Ayes, 51. Nays, 1. Absent, not voting, 7.

And so the rules were suspended.

AMENDMENTS TO HOUSE BILL NO. 430 were then read first and second times and with original bill referred to the Engrossing Committee and ordered engrossed.

Black moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that amendments to House Bill No. 327, having been printed, be read the first and second times and referred to the Engrossing Committee with the original bill.

Seconded by Davis.

The question being on the suspension of the rules, roll was called with the following result:

Ayes—Allred, Baldrige, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Eimers, Farmin, Featherstone, Friend, Galloway, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Arthur.

Total number of votes, 52. Ayes, 51. Nays, 1. Absent, not voting, 7.

And so the rules were suspended.

AMENDMENTS TO HOUSE BILL NO 327 were then read first and second times and with original bill referred to the Engrossing Committee and ordered engrossed.

Black moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that amendments to House Bill No. 251, having been printed, be read the first and second times and referred to the Engrossing Committee with the original bill.

Seconded by Davis.

The question being on the suspension of the rules, roll was called with the following result:

Ayes—Allred, Baldridge, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Eimers, Farmin, Featherstone, Friend, Galloway, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Arthur.

Total number of votes, 52. Ayes, 51. Nays, 1. Absent, not voting, 7.

And so the rules were suspended.

AMENDMENTS TO HOUSE BILL NO. 251 were then read first and second times and with original bill referred to the Engrossing Committee and ordered engrossed.

Black moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that amendments to House Bill No. 162, having been printed, be read the first and second times and referred to the Engrossing Committee with the original bill.

Seconded by Davis.

The question being on the suspension of the rules, roll was called with the following result:

Ayes—Allred, Baldridge, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Eimers, Farmin, Featherstone, Friend, Galloway, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Arthur.

Total number of votes, 52. Ayes, 51. Nays, 1. Absent, not voting, 7.

And so the rules were suspended.

AMENDMENTS TO HOUSE BILL NO. 162 were then read first and second times and with original bill referred to the Engrossing Committee and ordered engrossed.

Black moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that amendments to House Bill No. 287, having been printed, be read the first and second times and referred to the Engrossing Committee with the original bill.

Seconded by Davis.

The question being on the suspension of the rules, roll was called with the following result:

Ayes—Allred, Baldridge, Black, Bower, Bradford, Bradley, Burrell,

Ceaser, Crow, Davis, Dunning, Eckles, Elmers, Farmin, Featherstone, Friend, Galloway, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Arthur.

Total number of votes, 52. Ayes, 51. Nays, 1. Absent, not voting, 7.

And so the rules were suspended.

AMENDMENTS TO HOUSE BILL NO. 287 were then read first and second times and with original bill referred to the Engrossing Committee and ordered engrossed.

Black moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that amendments to House Bill No. 171, having been printed, be read the first and second times and referred to the Engrossing Committee with the original bill.

Seconded by Davis.

The question being on the suspension of the rules, roll was called with the following result:

Ayes—Allred, Baldrige, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Elmers, Farmin, Featherstone, Friend, Galloway, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Arthur.

Total number of votes, 52. Ayes, 51. Nays, 1. Absent, not voting, 7.

And so the rules were suspended.

AMENDMENTS TO HOUSE BILL NO. 171 were then read first and second times and with original bill referred to the Engrossing Committee and ordered engrossed.

Black moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that amendments to House Bill No. 233 having been printed, be read the first and second times and referred to the Engrossing Committee with the original bill.

Seconded by Davis.

The question being on the suspension of the rules, roll was called with the following result:

Ayes—Allred, Baldrige, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Elmers, Farmin, Featherstone, Friend, Galloway, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Arthur.

Total number of votes, 52. Ayes, 51. Nays, 1. Absent, not voting, 7.

And so the rules were suspended.

AMENDMENTS TO HOUSE BILL NO. 233 were then read first and second times and with original bill referred to the Engrossing Committee and ordered engrossed.

Black moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that amendments to House Bill No. 320, having been printed, be read the first and second times and referred to the Engrossing Committee with the original bill.

Seconded by Davis.

The question being on the suspension of the rules, roll was called with the following result:

Ayes—Allred, Baldridge, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Eimers, Farmin, Featherstone, Friend, Galloway, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Arthur.

Total number of votes, 52. Ayes, 51. Nays, 1. Absent, not voting, 7.

And so the rules were suspended.

AMENDMENTS TO HOUSE BILL NO. 329 were then read first and second times and with original bill referred to the Engrossing Committee and ordered engrossed.

Black moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that amendments to House Bill No. 379, having been printed, be read the first and second times and referred to the Engrossing Committee with the original bill.

Seconded by Davis.

The question being on the suspension of the rules, roll was called with the following result:

Ayes—Allred, Baldridge, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Eimers, Farmin, Featherstone, Friend, Galloway, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Arthur.

Total number of votes 52. Ayes, 51. Nays, 1. Absent, not voting, 7.

And so the rules were suspended.

AMENDMENTS TO HOUSE BILL NO. 379 were then read first and second times and with original bill referred to the Engrossing Committee and ordered engrossed.

Black moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that amendments to House Bill No. 191, having been printed, be read the first and second times and referred to the Engrossing Committee with the original bill.

Seconded by Davis.

The question being on the suspension of the rules, roll was called with the following result:

Ayes—Allred, Baldridge, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Eimers, Farmin, Featherstone, Friend, Galloway, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Arthur.

Total number of votes, 52. Ayes, 51. Nays, 1. Absent, not voting, 7.

And so the rules were suspended.

AMENDMENTS TO HOUSE BILL NO. 191 were then read first and second times and with original bill referred to the Engrossing Committee and ordered engrossed.

Black moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that amendments to House Bill No. 378, having been printed, be read the first and second times and referred to the Engrossing Committee with the original bill.

Seconded by Davis.

The question being on the suspension of the rules, roll was called with the following result:

Ayes—Allred, Baldridge, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Eimers, Farmin, Featherstone, Friend, Galloway, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Arthur.

Total number of votes, 52. Ayes, 51. Nays, 1. Absent, not voting, 7.

And so the rules were suspended.

AMENDMENTS TO HOUSE BILL NO. 378 were then read first and second times and with original bill referred to the Engrossing Committee and ordered engrossed.

Black moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that amendments to House Bill No. 83, having been printed, be read the first and second times and referred to the Engrossing Committee with the original bill.

Seconded by Davis.

The question being on the suspension of the rules, roll was called with the following result:

Ayes—Allred, Baldridge, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Eimers, Farmin, Featherstone, Friend, Galloway, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Arthur.

Total number of votes, 52. Ayes, 51. Nays, 1. Absent, not voting, 7.

And so the rules were suspended.

AMENDMENTS TO HOUSE BILL NO. 83 were then read first and second times and with original bill referred to the Engrossing Committee and ordered engrossed.

Black moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that amendments to House Bill No. 268 having been printed, be read the first and second times and referred to the Engrossing Committee with the original bill.

Seconded by Davis.

The question being on the suspension of the rules, roll was called with the following result:

Ayes—Allred, Baldrige, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Eimers, Farmin, Featherstone, Friend, Galloway, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Arthur.

Total number of votes, 52. Ayes, 51. Nays, 1. Absent, not voting, 7.

And so the rules were suspended.

AMENDMENTS TO HOUSE BILL NO. 268 were then read first and second times and with original bill referred to the Engrossing Committee and ordered engrossed.

Black moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that amendments to House Bill No. 314, having been printed, be read the first and second times and referred to the Engrossing Committee with the original bill.

Seconded by Davis.

The question being on the suspension of the rules, roll was called with the following result:

Ayes—Allred, Baldrige, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Eimers, Farmin, Featherstone, Friend, Galloway, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Arthur.

Total number of votes, 52. Ayes, 51. Nays, 1. Absent, not voting, 7.

And so the rules were suspended.

AMENDMENTS TO HOUSE BILL NO. 314 were then read first and second times and with original bill referred to the Engrossing Committee and ordered engrossed.

Black moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being

a case of urgency, and that amendments to House Bill No. 129, having been printed, be read the first and second times and referred to the Engrossing Committee with the original bill.

Seconded by Davis.

The question being on the suspension of the rules, roll was called with the following result:

Ayes—Allred, Baldrige, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Eimers, Farmin, Featherstone, Friend, Galloway, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Arthur.

Total number of votes, 52. Ayes, 51. Nays, 1. Absent, not voting, 7.

And so the rules were suspended.

AMENDMENTS TO HOUSE BILL NO 129 were then read first and second times and with original bill referred to the Engrossing Committee and ordered engrossed.

Black moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that amendments to House Bill No. 149, having been printed, be read the first and second times and referred to the Engrossing Committee with the original bill.

Seconded by Davis.

The question being on the suspension of the rules, roll was called with the following result:

Ayes—Allred, Baldrige, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Eimers, Farmin, Featherstone, Friend, Galloway, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Arthur.

Total number of votes, 52. Ayes, 51. Nays, 1. Absent, not voting, 7.

And so the rules were suspended.

AMENDMENTS TO HOUSE BILL NO. 149 were then read first and second times and with original bill referred to the Engrossing Committee and ordered engrossed.

Black moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that amendments to Senate Bill No. 150, having been printed, be read the first and second times and filed with the original bill for third reading.

Seconded by Davis.

The question being on the suspension of the rules, roll was called with the following result:

Ayes—Allred, Baldrige, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Eimers, Farmin, Featherstone, Friend, Galloway, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, San-

born, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Arthur.

Total number of votes, 52. Ayes, 51. Nays, 1. Absent, not voting, 7.

And so the rules were suspended.

Amendments to Senate Bill No. 150 were then read first and second times and with original bill filed for third reading.

Third Reading of House and Senate Bills, Concurrent Resolutions and Joint Memorials, and Final Action Thereon.

SENATE BILL NO. 82, BY ST. CLAIR, read a third time at length, section by section, for final action.

On motion of Nihart, this bill was not considered and was allowed to retain its place on third reading.

HOUSE BILL NO. 420, BY ALLRED, NIELSEN AND WARNICK, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Baldrige, Berry, Black, Bower, Bradley, Burrell, Crow, Davis, Dunning, Eckles, Eimers, Farmin, Featherstone, Friend, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Jones, Kerby, Morgan, McCabe, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 47. Ayes, 47. Nays, none. Absent, not voting, 12.

And so the bill passed, title was approved, and House Bill No. 420 was ordered transmitted to the Senate.

HOUSE BILL NO. 404, BY TERRELL, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Baldrige, Berry, Black, Bower, Bradley, Burrell, Crow, Davis, Dunning, Eimers, Farmin, Featherstone, Gibson, Hellekson, Hendricks, Hill, Holmberg, Hyde, Jacobs, Jayne, Jenson, Johnson, Jones, Leaf, Morgan, McCabe, Nielsen, Oakes, Parker, Pincock, Sanborn, Sorenson, Stephens, Taylor, Terrell, Mr. Speaker.

Nays—Eckles, Friend, Hutton, Nihart, Smith, Strode, Thompson, Walker, Warnick.

Total number of votes, 45. Ayes, 36. Nays, 9. Absent, not voting, 14.

And so the bill passed, title was approved, and House Bill No. 404 was ordered transmitted to the Senate.

SENATE BILL NO. 58, BY PAGE, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Baldrige, Berry, Bower, Bradley, Burrell, Crow, Davis, Eimers, Farmin, Featherstone, Friend, Galloway, Hellekson, Hill, Jacobs, Jones, Leaf, Morgan, Nihart, Oakes, Pincock, Sanborn, Strode, Thompson, Walker, Warnick, Wilson, Wood.

Nays—Allred, Black, Bradford, Ceaser, Dunning, Eckles, Hendricks, Holmberg, Hutton, Hyde, Jayne, Jenson, Johnson, Kerby, McCabe, Nielsen, Parker, Smith, Sorenson, Stephens, Taylor, Mr. Speaker.

Total number of votes, 50. Ayes, 28. Nays, 22. Absent, not voting, 9.

And so the bill passed, title was approved, and Senate Bill No. 58 was ordered returned to the Senate.

SENATE BILL NO. 44, BY MACBETH, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Baldrige, Berry, Black, Bower, Bradley, Ceaser, Davis, Dunning, Eckles, Eimers, Farmin, Featherstone, Friend, Galloway, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Strode Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 48. Ayes, 48. Nays, none. - Absent, not voting, 11.

And so the bill passed, title was approved, and Senate Bill No. 44 was ordered transmitted back to the Senate.

HOUSE BILL NO. 439, BY COMMITTEE ON CITIES, TOWNS AND OTHER MUNICIPAL CORPORATIONS, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Baldrige, Berry, Black, Bower, Bradley, Burrell, Davis, Dunning, Eckles, Edgington, Featherstone, Friend, Galloway, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Johnson, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 47. Ayes, 47. Nays, none. Absent, not voting, 12.

And so the bill passed, title was approved, and House Bill No. 439 was ordered transmitted to the Senate.

HOUSE BILL NO. 380, BY HUTTON AND LEAF, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Baldrige, Berry, Black, Bower, Bradley, Burrell, Dunning, Eckles, Eimers, Farmin, Featherstone, Galloway, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Wilson, Wood, Mr. Speaker.

Nays—Davis, Friend, Walker.

Total number of votes, 47. Ayes, 44. Nays, 3. Absent, not voting, 12.

And so the bill passed, title was approved, and House Bill No. 380 was ordered transmitted to the Senate.

HOUSE BILL NO. 80, BY SMITH, read a third time at length, section by section, for final action.

Unanimous consent was given to correct a clerical error in the bill by changing the word "counted" to "committed" in the last line of Section 2.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Baldrige, Bower, Bradford, Bradley, Burrell, Davis,

Eimers, Farmin, Friend, Galloway, Hellekson, Holmberg, Hutton, Jayne, Johnson, Kerby, Nelson, Nielsen, Nihart, Oakes, Sanborn, Smith, Strode, Taylor, Warnick, Wood, Mr. Speaker.

Nays—Berry, Black, Dunning, Eckles, Featherstone, Gibson, Hammer, Hendricks, Hyde, Jacobs, Jenson, Jones, Leaf, Morgan, McCabe, Parker, Pincock, Sorenson, Stephens, Terrell, Thompson, Walker, Wilson.

Total number of votes, 51. Ayes, 28. Nays, 23. Absent, not voting, 8.

And so the bill passed, title was approved, and House Bill No. 80 was ordered transmitted to the Senate.

Unanimous consent was given the Committee on Private Corporations to reconsider report on House Bill No. 255 and attach supplemental report to bill with amendments.

Moved by Davis and seconded by Farmin that House adjourn until 9 a. m. Monday morning, February 27, 1911.

Motion carried.

House adjourned.

CHARLES D. STOREY,
Speaker.

JAMES H. WALLIS,
Chief Clerk.

MONDAY, FIFTY-SEVENTH DAY, FEBRUARY 27, 1911.

Morning Session.

Hall of the House of Representatives,
Boise, Idaho, February 27, 1911.

House met pursuant to adjournment. Mr. Speaker in the Chair.

Prayer was offered by the Chaplain.

Roll call showed all members present, except Glennon, excused, and Leaf, excused on account of sickness.

Journal for the fifty-fifth day was then read.

The Committee on Journal submitted the following report:

Mr. Speaker:

We, your Committee on Journal, having had under consideration the Journal for the fifty-fifth day, report that we have corrected same, and move that the Journal for that day be approved.

WARNICK,
Chairman.

Report adopted and Journal for fifty-fifth day approved.

SPECIAL ORDER.

Consideration of Senate Bill No. 70, with majority and minority reports, made a special order for this time, was taken up.

Majority Report.

Mr. Speaker:

We, your Committee on Privileges and Elections respectfully report that we have had under consideration Senate Bill No. 70, and recommend that it do pass.

BRADLEY,
Chairman.

Minority Report.

We, the minority members of your Committee on Privileges and Elections, having had under consideration Senate Bill No. 70, beg leave to report that we recommend that it be placed on the General Calendar for amending it by striking out Section 15, which requires each elector to declare his or her party affiliation as a condition prece-

dent to registering and voting at any primary election, and for making such other amendments as may be desired. We oppose the declaration of party affiliations on the grounds, among others, that it is contrary to the spirit of the Constitution of the State of Idaho in that it destroys the secrecy of the ballot. The greatest reason for the adoption of the Australian ballot was to eliminate the practice of coercion on the part of corporations employing large numbers of men, and the enactment of this section into law would be a decided step backward in that respect. Employees in declaring their party affiliation would, under certain circumstances, jeopardize their employment. It would also have a tendency to reduce the registration and vote at the primaries and prevent a fair expression of the voters as to their choice of political candidates. There are many good features in the amendments to our direct primary law proposed in Senate Bill No. 70, but we prefer having the law remain in its present form, unsatisfactory as it is, rather than have any change which would carry with it the provisions of the section in question.

HELLEKSON,
HENDRICKS,
HUTTON.

Morgan moved that the bill with both majority and minority reports be referred to the Committee of the Whole.

Seconded by Hill.

Bradley moved, as a substitute motion, that the majority report be adopted.

Seconded by Jones.

Johnston moved, as a substitute for all pending motions, that Senate Bill No. 70 be made a special order for 9:45 o'clock.

Seconded by Burrell.

Johnson then moved the previous question.

Seconded by Nielsen.

Motion carried.

Morgan moved, seconded by Hellekson, that the House go into Committee of the Whole for the consideration of Senate Bill No. 70, that he might offer the following amendments:

Moved that Senate Bill No. 70 be amended as follows.

That Section 15 of the printed bill be stricken out and Section 15 of the present primary election law, as found on page 203 of Session Laws of 1909, be inserted in lieu thereof.

That all that portion of Section 17 of the printed bill following the word "election" in line 2 thereof, be stricken out.

Add at the end of Section 24 of the printed bill, "Provided further, that no nominee shall own or control more than one newspaper published or of general circulation within the territory of his candidacy."

In line 7 of Section 29 of the printed bill, after the word "selected" insert "and nominees;" also in same section, line 12, after the word "committee," insert "and nominees."

In Section 29, line 17 of the printed bill, strike out the following: "No proxies shall be allowed in any such convention."

Speaker ruled the motion was out of order.

Morgan appealed from the decision of the chair.

Roll call was demanded on the appeal.

The question being, "Shall the chair be sustained?" roll was called with the following result:

Ayes—Allred, Arthur, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Edgington, Eimers, Farmin, Featherstone, Hammer, Jacobs, Johnson, Johnston, Jones, McCabe, Nielsen, Nihart, Oakes, Smith, Taylor, Thompson, Warnick.

Nays—Dunning, Eckles, Friend, Gibson, Hellekson, Hendricks, Hill,

Holmberg, Hutton, Jayne, Jenson, Kerby, Morgan, Nelson, Parker, Pincock, Sanborn, Sorenson, Stephens, Strode, Terrell, Walker, Wilson.

Total number of votes, 51. Ayes, 27. Nays, 24. Absent and not voting, 8.

And so the chair was sustained.

Third Reading of Senate Bills.

SENATE BILL NO. 70, BY POTTS AND ST. CLAIR, was read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Edgington, Elmers, Farmin, Featherstone, Friend, Hammer, Jacobs, Johnson, Johnston, Jones, McCabe, Nielsen, Nihart, Oakes, Sanborn, Smith, Taylor, Thompson, Warnick, Wilson, Mr Speaker.

Nays—Dunning, Eckles, Gibson, Hellekson, Hendricks, Hill, Holmberg, Hutton, Jayne, Jenson, Kerby, Morgan, Nelson, Parker, Pincock, Sorenson, Stephens, Strode, Terrell, Walker, Wood.

Total number of votes, 52. Ayes, 31. Nays, 21. Absent and not voting, 5. Paired, Galloway and Davis.

So Senate Bill No. 70 passed and was ordered transmitted to the Senate.

Reports of Standing Committees.

The Committee on Printing submitted the following report:

Mr. Speaker:

Your Committee on Printing herewith report that we have had correctly printed and distributed the following: House Bills Nos. 337, 389, 437, 438, 367, 384, 359, 397, 388, 385, 387, 370, 406, 313, 408, 369, 440, 339, 358, 450, 391, 378, 368, 379, 355, 393, 383, 382, 354, 373, 386, 374, 375, 377, 341, 390, 394, 443, 371, 442, 441. Amendments to House Bills Nos. 83, 86, 191, 327 and 378.

We also make the further report that every bill introduced has been printed, and all those not delivered are in the hands of the printer ready to be delivered.

JONES,
Chairman.

Report received.

The Committee on Irrigation, Reservoirs and Reclamation submitted the following report:

Mr. Speaker:

We, your Committee on Irrigation, Reservoirs and Reclamation respectfully report that we have had under consideration Senate Bill No. 116 and recommend that it do pass.

Part of committee opposes.

NIHART,
Chairman.

Report received and Senate Bill No. 116 filed for third reading.

The Committee on Fish and Game submitted the following report:

Mr. Speaker:

We, your Committee on Fish and Game, having had under consideration House Bill No. 429, beg leave to make the following report and recommendations which have been concurred in by the Fish and Game Committee of the Senate.

We recommend that the title of the bill be amended by inserting in line 1 thereof, the figure 3 between the figures 3 and 5, and the figure 9 between the figures 8 and 18, and that said title be further amended by adding thereto at the end thereof the following: "And declaring an emergency."

We further recommend that said bill be amended by inserting the following between lines 34 and 35 thereof.

Section 2. That Section 3 of said Act be, and the same hereby is, amended to read as follows:

Section 3. The State Fish and Game Warden is hereby authorized and directed to maintain the fish hatcheries heretofore established by the State for the purpose of hatching propagating and distributing food and commercial fishes and for the purpose of raising and distributing game birds and such game animals as can be reasonably raised on the premises occupied by said hatcheries: Provided, That other suitable places and preserves for the care of said game animals and birds may be selected by the State Game Warden with the approval of the Governor. The State Fish and Game Warden shall have supervision over all fish culture matters of a public nature and shall receive and provide for the care and distribution of such food fishes or ova of the same or such game birds and animals as shall come into the possession of the State. He shall also obtain ova or fry of such fish at such places and of such variety as he may deem most suitable to the waters of this State and have the same hatched at the State hatcheries, and shall distribute the same in a prudent and equitable manner throughout the different waters of the State. He shall appoint a superintendent for each hatchery and such assistants as may be necessary, and such superintendents of hatcheries shall execute a bond to the State of Idaho in the penal sum of one thousand dollars (\$1,000), conditioned for the faithful performance of their duties. All superintendents and assistants of fish hatcheries appointed under this Act shall devote their entire time to the duties of their office, and they shall not engage in any manner whatever in any private or public fish hatcheries other than that for which they are appointed, unless so ordered by the State Fish and Game Warden. And they shall not be entitled to have any holding or own any private fish ponds, lakes, streams of this State, nor shall engage in the selling or disposal of any fish whatever, except in the duties of their office or as directed by the State Fish and Game Warden. That the figure 2, in line 35, after the word "section" and before the word "that" be changed to the figure 3.

We recommend that in line 6 on page 5 of the printed bill the word "unlawful" be stricken out and the word "lawful" be inserted in lieu thereof, and that in line 7 on said page the words "those parts of" between the word "from" and the word "Snake" be stricken out, and that the words "from Lewiston, Idaho, as far up as Shoshone Falls," be inserted in lieu thereof. And that after the word "river" in line 7 and before the word "and" in line 9 on said page 5, all parts of the bill be stricken out.

We further recommend that after the words "Bear Lake," in line 20 of said page 5, there be inserted the following:

It shall be lawful to seine for white fish, herring, carp or squaw fish, under the supervision or by the order of the State Fish and Game Warden or his deputies, in any of the streams, lakes or ponds of the State where it is deemed they are sufficient in number as to be destructive to the trout or other game fish. The fish so taken shall be disposed of under the direction of the State Fish and Game Warden, or his deputies, and all moneys received from sale of such by the State Fish and Game Warden or his deputies shall be turned into the State Fish and Game fund.

We recommend that in line 37, on page 6 of the printed bill, the word "public" be stricken out between the words "any" and "stream," and that on page 7, in line 44 of the printed bill the figure 3 after the word "section," and before the word "that," be stricken out and the figure 4 be inserted in lieu thereof. And that in the last line of

said page 7 of the printed bill the words "first day of September" be stricken out and the words "fifteenth day of August" be inserted in lieu thereof.

We further recommend that said bill be amended by inserting after the word "year," in line 13, on page 8 of the printed bill, the following: "Except that it shall be unlawful to kill or destroy any bird last above mentioned north of the Salmon River, except between the first day of September and the first day of December of each year, and that the following be inserted in said line after the word "day," and before the period, immediately following said word, "in any part of the State." and that in line 16 of said page 8 after the word "ducks," the following be inserted: "Twenty-four (24) snipe or twenty-four (24) plover, or," and that in line 17 of said page 8 of the printed bill the words and figures "twelve (12) snipe or twelve (12) plover," be stricken out.

We further recommend that after the word "year," in line 24, of page 8 of the printed bill and before the word "or," in said line the following be inserted: "Except in the County of Fremont, and in the said county it shall be unlawful to kill or destroy any bird last above mentioned except between the fifteenth day of August and the first day of December of each year." And that after the word "day," in line 25 of said page 8, the following be inserted before the period: "In any part of the State." Also, that the following be added before the period and after the word "day," in line 27 on page 8 of said printed bill, "or to have in his possession more than twenty-four (24) birds of any kind at any one time."

We recommend that said bill be further amended by striking out the figure 4, in line 35, on page 9 of the printed bill and by inserting the figure 5 in lieu thereof.

We further recommend that after the word "provided," in line 13, on page 10 of the printed bill, the following be inserted: "Provided, however, That Elk may be killed in the Counties of Fremont and Bingham (or in such territory as was included in said counties on January 1, 1911), from September 1st to December 31 of each year;" that in said line 13, the word "however," be stricken out and the word "also" be inserted in lieu thereof. And that in line 15 on page 10 of the printed bill the word "Clearwater" be inserted between the words "Nez Perce" and the word "and," and that in line 20 on said page, after the word "snare," and before the word "and," the following be inserted: "Or at any deer lick." And that in lines 28 and 29, after the word "to," and before the word "the," the words "Any Justice of the Peace, Probate Judge of the County, or," be stricken out.

We recommend that in line 39 on page 11 of the printed bill the words, "Any Justice of the Peace, or Probate Judge of this State, or," be stricken out, and the words, "Any Justice of the Peace, or Probate Judge of this State, or," be stricken out of line 47, on page 12 of the printed bill, and that the words, "age or," be inserted in line 53 on page 12 of the printed bill, between the word "of" and the word "sex." And that the words, "To any Justice of the Peace, or Probate Judge, of," be stricken from lines 54 and 55 on page 12 of the printed bill.

We further recommend that a period be inserted in lieu of the semicolon after the word "act" in line 92 on page 14 of the printed bill; that the words "provided that" and the colon be stricken from said line; and that in line 93 on said page there be inserted after the word "Idaho," and before the word "may," the following: "And a veteran of the Civil War." That immediately after line 96 on page

14 of the printed bill the following be inserted: "That Section 9 be, and the same is hereby amended to read as follows:"

Sec. 9. It shall be unlawful during the open season of the year for any person to hunt, kill or capture more than one elk, wto, deer, one mountain sheep, one ibex and one mountain goat, and all licenses issued by authority of the State as provided for in this Act, shall state the number of each kind of animals that may be killed by the holder of such license. Every person who shall have procured and paid for a license, as provided for in this Act, shall be entitled to the use and possession of the whole or any part of any animal killed in accordance with the provisions of this Act, and any hunter who shall have first procured a license as herein provided shall be entitled to keep or carry or ship within or without the State, the skins, heads, or horns or any parts of animals killed in compliance with the provisions of this Act. Provided, That in case of shipment such person shall procure from any * * * Game Warden or Deputy Game Warden a permit of a form prescribed by the State Game Warden authorizing such person to ship any animals or any part of any animals killed in compliance with the provisions of this Act. Such permit may be procured by the shipper upon a sworn statement to the officers from whom he obtains the permit that the game desired to be shipped was not procured contrary to any of the provisions of this Act, which affidavit shall contain the number and date of the owner's license. Said form of affidavit shall be printed upon the permit and be a part thereof. The officer issuing such permit shall make the same out in duplicate and shall at once transmit the copy of said permit to the State Game Warden and deliver the original to the applicant, which original shall accompany the shipment. Such officer shall be entitled to charge a fee of fifty cents for such permit and affidavit, twenty-five cents to be retained by such officer and twenty-five cents to be accounted for to the State Game Warden and remitted to him as other moneys to be turned in to the game fund. The State Game Warden, Assistants and Deputy Game Wardens are hereby authorized to administer the oath required with such permit.

But it shall be unlawful for any person or persons or any corporation or company or agent or employe of such company or corporation to sell or keep or offer for sale, any portion of the carcasses, skins, heads, or antlers in excess of the number provided for in this Act. Provided, That nothing in this act contained shall apply to a person carrying on the business of taxidermy taking and having in his possession the heads or skins of birds or animals for the purpose of preserving the same, when such heads and skins are accompanied by an affidavit and permit, showing that they were taken from the birds or animals taken or killed in compliance with the provisions of this Act.

Any person who shall engage in or who is at the present time engaged in or conducting any taxidermist business as the term is generally understood, or any person who conducts a business for the purpose of mounting, preserving or preparing any of the dead bodies of any birds or animals or fish or any part thereof, must first obtain from the State Fish and Game Warden a taxidermist's license.

The State Fish and Game Warden shall charge for such license the sum of twenty-five dollars (\$25 00), to be turned in to the State Game fund; such license shall be taken out annually and shall expire on March 31st of each year. Such person shall on the first day of each month make a written report to the State Game Warden of all the articles of game, the kind and number of each, by whom owned, the residence of owner, received during the past month, also of all articles having been shipped during this time, and to whom and where shipped and by whom and owner's address. Such report shall be made upon blanks furnished by the State Game Warden. Any failure to

make report as herein required, shall be ground for the revocation of the license. Any person who shall engage in or conduct a business of taxidermy without first having obtained such license or who shall continue in such business after the revocation of such license shall be guilty of a misdemeanor. It shall be unlawful for any person or persons, company or corporation, or agent or employee of such company or corporation to sell, offer or expose for sale, or have in his, its or their possession for the purpose of selling or offering for sale any species of fish or birds protected by this Act, or any part of the carcasses of any of the protected animals mentioned in this Act at any time of the year, and any such person or persons, company or corporation, agent or employee having in his, its or their possession any of the protected animals or fish herein mentioned for the purpose of selling the same shall be guilty of a misdemeanor, except as provided in Section 3 of this Act.

We further recommend that in line 97 on page 14 of the printed bill after the word "section", and before the word "that," the figure 5 be stricken out and the figure 7 be inserted in lieu thereof. Also that all that portion of page 15 in lines 17 and 18 of the printed bill after the word "necessary" be stricken out and that the words "shipping permits as he may deem necessary," in line 19 and the words "and Justices of the Peace and Probate Judges," in line 20 on page 16 of the printed bill be stricken out.

We also recommend that the figure 6 after the word "section" and before the word "that", in line 44 on page 17 of the printed bill be stricken out and that the figure 8 be inserted in lieu thereof.

We further recommend that all that portion of the bill commencing with the word "and", in line numbered 6 on page 17 and ending with the word "imprisonment" in line 10 on page 18 of the printed bill be stricken out.

We further recommend that the figure 7 after the word "section" and before the word "that" on page 18 of the printed bill be stricken out and that the figure 9 be inserted in lieu thereof. And that in line 6 on said page 18 the words and figures "twelve hundred dollars (\$1,200)" be stricken out and the words and figures "fifteen hundred dollars (\$1,500)" be inserted in lieu thereof.

And we recommend that in line 9 on said page 18 of the printed bill after the figures "(\$1,200)" and before the word "and" there be inserted the words "per annum."

We further recommend that the figure 8 between the word "section" and the word "that" in the first line on page 20 of the printed bill be stricken out and the figure 10 be inserted in lieu thereof, and that the following section be added to the bill:

Section 11. Whereas, an emergency exists, this Act shall take effect and be in force from and after its passage and approval.

Your committee recommends that the bill as so amended do pass
FARMIN,
 Chairman.

Farmin moved the adoption of the report.

Seconded by Morgan.

Motion carried.

The Committee on Appropriations submitted the following report:
 Mr. Speaker:

We, your Committee on Appropriations, having had under consideration House Bill No. 32, by Hill, hereby renders its report as follows:

We report the same out without recommendation.

Also House Bill No. 435, and recommend that the same do pass.

Also House Bill No. 267, and recommend that the bill do not pass.

Also Senate Bill No. 53, and recommend that the same do pass.

Also House Bill No. 190, and recommend that the bill do pass.

Also House Bill No. 387, and recommend that the same be amended as follows: That the words and figures "fifteen thousand dollars (\$15,000)" wherever the same occur either in the title or the body of the bill, be stricken out, and the words and figures "seven thousand five hundred dollars (\$7,500)" be substituted therefor, and that as so amended the bill do pass.

Also House Bill No. 235, and recommend that the same do pass.

Also Senate Bill No. 62, and recommend that it do pass

Also Senate Bill No. 90, and recommend that the same do pass.

BELL,

Chairman.

Report adopted, and House Bills Nos. 435, 190, 235 referred to Engrossing Committee and ordered engrossed; Senate Bills Nos. 53, 62 and 90 filed for third reading.

The Committee on Engrossed and Enrolled Bills submitted the following report:

Mr. Speaker:

We, your Committee on Engrossed and Enrolled Bills report House Bills Nos. 275, 430, 249, 339, 346, 297, 441, 162, 255, 402 and 135 correctly engrossed.

BOWER,

Acting Chairman.

Report received, and House Bills Nos. 275, 430, 249, 339, 346, 297, 441, 162, 255, 402 and 135 filed for third reading.

The Committee on State Affairs submitted the following report:

Mr. Speaker:

We, your Committee on State Affairs, having had under consideration Senate Bill No. 157, by Yates, beg leave to report that we recommend that the bill do pass

JOHNSTON,

Chairman.

Report adopted, and Senate Bill No. 157 filed for third reading.

The Committee on Irrigation, Reservoirs and Reclamation submitted the following report:

Mr. Speaker:

We, your Committee on Irrigation, Reservoirs and Reclamation, respectfully report that we have had under consideration House Bill No. 447 and recommend that it do pass.

NIHART,

Chairman.

Report adopted and House Bill No. 447 referred to Engrossing Committee and ordered engrossed

The Committee on Engrossed and Enrolled Bills submitted the following report:

Mr. Speaker:

We, your Committee on Engrossed and Enrolled Bills, beg leave to report House Bills Nos. 107, 103, correctly enrolled.

BOWER,

Acting Chairman.

Report received.

Motions and Resolutions.

Warnick asked the permission of the House to introduce a substitute for H. J. R. No. 12

Permission was granted and the following resolution was introduced:

H. J. R. NO. 30, BY WARNICK, FEATHERSTONE AND HANMER.
(SUBSTITUTE FOR H. J. R. NO. 12.)

A Joint Resolution proposing the amendment of Section 2 of Arti-

cle 9 of the Constitution of the State of Idaho submitting to the electors of said State for their rejection or approval the question whether Section 2, Article 9, of the Constitution of the State of Idaho shall be so amended as to authorize the appointment of a State Board of Education, the membership, power and duties of which shall be prescribed by law.

Hanmer moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that House Joint Resolution No. 30 be read the first and second times by title and the third time at length, section by section, and be put upon its final passage.

Seconded by Warnick.

The question being on the suspension of the rules, roll was called with the following result:

Ayes—Allred, Arthur, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Elmers, Farmin, Featherstone, Friend, Galloway, Gibson, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 55. Ayes, 55. Nays, none. Absent, not voting, 4.

And so the rules were suspended.

Third Reading of House Bills, Joint Resolutions and Memorials. And Final Action Thereon.

HOUSE JOINT RESOLUTION NO. 30, BY WARNICK, FEATHERSTONE AND HANMER, was then read first and second times by title and third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Elmers, Farmin, Featherstone, Friend, Galloway, Gibson, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 55. Ayes, 55. Nays, none. Absent, not voting, 4.

And so the resolution passed, title was approved, and H. J. R. No. 30 was ordered transmitted to the Senate.

Motion by Hutton.

Hutton moved that the House reconsider the vote by which House Concurrent Resolution No. 10 passed the House, providing for sine die adjournment of the Eleventh Session of the Legislature.

Seconded by Johnston

Motion carried.

Hutton then introduced the following concurrent resolution and moved its adoption:

HOUSE CONCURRENT RESOLUTION NO 12, BY HUTTON.

RESOLVED, by the House of Representatives, the Senate concurring, that the Eleventh Session of the Legislature of Idaho shall cease to consider bills, joint resolutions and memorials on Saturday, March 4, 1911, at 11:55 P. M., and that the Legislature shall adjourn sine die at 12 o'clock, midnight, March 4, 1911

Seconded by Johnston

Motion was carried, and H. C. R. No. 12 adopted, and ordered transmitted to the Senate

House Bills Signed By the Speaker.

Speaker in the presence of the House signed House Bills Nos 3, 107 and 53

Second Reading and Reference of House Bills, Concurrent Resolutions and Joint Memorials.

The following House Bills were read the second time in full:

H. B. No. 451 by Judiciary Committee

First Reading of Printed Amendments to House Bills.

Printed amendments to the following House Bills were read first time in full:

H. B. No. 257.

H. B. No. 77.

H. B. No. 217.

H. B. No. 286.

Second Reading of Printed Amendments to House Bills.

Printed amendments to the following House Bills were read second time in full:

H. B. No. 222.

First Reading of House Bills as Amended by the Senate.

The following House Bills as amended by the Senate were read first time in full:

H. B. No. 159.

H. B. No. 27.

H. B. No. 114.

H. B. No. 123.

H. B. No. 64.

Third Reading of House and Senate Bills, Concurrent Resolutions and Joint Memorials and Final Action Thereon.

HOUSE BILL NO 376, BY JAYNE (BY REQUEST), read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood.

Nays—Davis.

Total number of votes, 54. Ayes, 53. Nays, 1. Absent, not voting, 5.

And so the bill passed, title was approved, and House Bill No. 376 was ordered transmitted to the Senate.

HOUSE BILL NO. 384, BY CROW, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Arthur, Baldrige, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood.

Nays—None.

Total number of votes, 54. Ayes, 54. Nays, none. Absent, not voting, 5.

And so the bill passed, title was approved, and House Bill No. 384 was ordered transmitted to the Senate.

HOUSE BILL NO. 400, BY TERRELL, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood.

Nays—None.

Total number of votes, 54. Ayes, 54. Nays, none. Absent, not voting, 5.

And so the bill passed, title was approved, and House Bill No. 400 was ordered transmitted to the Senate.

SENATE BILL NO. 82, BY ST. CLAIR, read a third time at length, section by section, for final action.

Unanimous consent was given the Chief Clerk to correct a clerical error in the bill by changing the word "preceding" to "current," in line 16 of the bill.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood.

Nays—None.

Total number of votes, 54. Ayes, 54. Nays, none. Absent, not voting, 5.

And so the bill passed, title was approved, and Senate Bill No. 82 was ordered returned to the Senate.

SENATE BILL NO. 88, BY FREEHAFFER, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Gibson, Hanmer, Hellekson, Hendricks, Holmberg,

Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Sorenson, Stephens, Strode, Taylor, Terrell, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Friend, Smith, Thompson.

Total number of votes, 53. Ayes, 50. Nays, 3. Absent, not voting, 6.

And so the bill passed, title was approved, and Senate Bill No. 88 was ordered returned to the Senate.

Senate Memorials and Resolutions Signed by the Speaker.

Speaker, in the presence of the House, signed Senate Concurrent Resolution No. 6, Senate Joint Memorial No. 4 and Senate Joint Resolutions Nos. 12 and 13.

Moved by Morgan, and seconded by Jenson, that the amendments offered by Morgan at the time Senate Bill No. 70 was being considered be read at this time.

Motion carried, and amendments offered to Senate Bill No. 70 were read by the Chief Clerk.

SENATE BILL NO. 68, BY POOLE, read a third time at length, section by section, for final action.

Moved by Johnston that Senate Bill No. 68 be referred to the Committee of the Whole.

Seconded by Crow.

Motion carried

HOUSE BILL NO. 315, BY WARNICK, NIELSEN AND ALLRED, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldridge, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None

Total number of votes, 56. Ayes, 56. Nays, none. Absent, not voting, 3.

And so the bill passed, title was approved, and House Bill No. 315 was ordered transmitted to the Senate.

HOUSE BILL NO. 263, BY CROW AND CEASER, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Gibson, Hanmer, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Morgan, McCabe, Nelson, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Taylor, Thompson, Wilson, Wood, Mr. Speaker.

Nays—Arthur, Hellekson, Walker.

Total number of votes, 48. Ayes, 45. Nays, 3. Absent, not voting, 11.

And so the bill passed, title was approved, and House Bill No. 263 was ordered transmitted to the Senate

SENATE BILL NO. 41, BY HORNIBROOK, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Arthur, Baldridge, Berry Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherston, Galloway, Gibson, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Johnson, Johnston, Jones, Kerby, Morgan, McCabe, Nelson, Nielsen, Nihart Oakes, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Thompson Warnick, Wilson.

Nays—Bell, Jenson, Parker, Walker, Wood

Total number of votes, 53. Ayes, 48. Nays, 5. Absent, not voting, 6.

And so the bill passed, title was approved, and Senate Bill No. 41 was ordered returned to the Senate.

Message From the Governor.

The following message was received from the Governor:
To the Senate and House of Representatives, Mr. Speaker and Gentlemen of the House:

Several bills have been passed during the present Session making appropriations to pay in part for the building of bridges in certain localities in the State. These bills usually prescribe the exact point at which the contemplated bridge is to be created. I can readily see where, in some cases, certain latitude should be allowed the State Engineer and the Bridge Commissioner jointly to change the place of erection of such bridge. This latitude should be fixed by statute so as not to permit a different location to exceed a certain stated distance from the place originally contemplated. My attention has been especially called to one bill of this kind where a mistake was made and where the bridge, if constructed in the exact location named, would not as well serve the interests of the people generally as it would to change its location a short distance. Every contemplated bridge should be subject to the same conditions. I can see no good reason why this latitude should not be allowed, and respectfully suggest the passage of an Act so permitting.

I desire again at this time to call attention to my former suggestion that before any appropriation made for roads or bridges shall be made available for the purpose intended, that the Board of County Commissioners of the county wherein such bridge or road is located, shall, by resolution spread on the minutes of the Board, agree to maintain and keep in repair such road or bridge; and, in the event a road to which assistance is given by the State, lies in more than one county, that the County Commissioners of each county affected shall agree, by resolution spread on their minutes, to maintain and keep in repair such road within the county limits; and, where a bridge to which State aid has been given, lies across a stream dividing two counties, the Boards of County Commissioners of each of said counties shall agree by resolution spread upon their minutes, to maintain one-half of the bridge, or, by some arrangements made between them and spread upon the minutes of each Board, provision shall be made for the maintenance and repair of such bridge by one or the other, or both, of the counties affected. My reason for being so urgent in this matter is the fact that heretofore several roads and bridges built at the expense of the State or Territory of Idaho, have become dilapidated and out of repair and practically lost so far as any benefit to the people is concerned, by contentions on the part of the Board of County Commissioners wherein situated, that such

roads and bridges belong to the State and, therefore, the counties are not bound to keep them up.

Respectfully submitted,
JAMES H. HAWLEY,
Governor.

Boise, Idaho, February 27, 1911.

Third Reading of House and Senate Bills, Concurrent Resolutions and Joint Memorials, and Final Action Thereon.

SENATE BILL NO. 104, BY PRESTON, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" the roll was called with the following result:

Ayes—Baldridge, Eimers, Hellekson, Hendricks, Hill, Holmberg, Hyde, Johnston, Jones, Nelson, Nihart, Parker, Pincock, Wood, Mr. Speaker.

Nays—Arthur, Bell, Black, Bower, Bradford, Burrell, Crow, Davis, Dunning, Eckles, Edgington, Farmin, Friend, Galloway, Gibson, Hutton, Jacobs, Jayne, Jenson, Johnson, Kerby, Morgan, McCabe, Nielsen, Oakes, Sanborn, Smith, Sorenson, Stephens, Taylor, Thompson, Walker, Warnick, Wilson.

Total number of votes, 49. Ayes, 15. Nays, 34. Absent, not voting, 10.

And so the bill failed to pass, and Senate Bill No. 104 was ordered returned to the Senate.

HOUSE BILL NO. 317, BY BLACK, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Arthur, Baldridge, Bell, Berry, Black, Bower, Burrell, Ceaser, Davis, Dunning, Eckles, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Hanmer, Hellekson, Hendricks, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Morgan, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Taylor, Thompson, Walker, Warnick, Wilson, Wood.

Nays—Bradley, Hill.

Total number of votes, 47. Ayes, 45. Nays, 2. Absent, not voting, 12.

And so the bill passed, title was approved, and House Bill No. 317 was ordered transmitted to the Senate.

Moved by Johnson, and seconded by Sanborn, that House adjourn until 2. p. m.

Motion carried.

House adjourned.

Afternoon Session.

House met pursuant to adjournment. Mr. Speaker in the chair.

Roll call showed all members present, except Glennon, excused, and Leaf, excused on account of sickness.

Reports of Standing Committees.

The Committee on Engrossed and Enrolled Bills submitted the following report:

Mr. Speaker:

We, your Committee on Engrossed and Enrolled Bills, report House Bills Nos. 379, 129, 438, 83, 405, 378, 191, 437, 434, 314 and 327 correctly engrossed.

BOWER,
Acting Chairman.

Report received, and House Bills Nos. 379, 129, 438, 83, 405, 378, 191, 437, 434, 314 and 327 filed for third reading.

The Judiciary Committee submitted the following report:

Mr. Speaker:

We, your Committee on Judiciary respectfully report that we have had under consideration Senate Bill No. 136, and recommend that it do pass

FEATHERSTONE,
Chairman.

Report adopted, and Senate Bill No. 136 filed for third reading.

The Committee on County Lines and Boundaries submitted the following report:

Mr. Speaker:

We, your Committee on County Lines and Boundaries, respectfully report that we have had under consideration Senate Bill No. 138, and recommend that it do pass.

JOHNSTON,
Chairman.

Report adopted, and Senate Bill No. 138 filed for third reading.

The Committee on Appropriations submitted the following report:

Mr. Speaker:

Your Committee on Appropriations, having had under consideration House Bill No. 396, by Taylor, hereby renders its report as follows: We recommend that the bill do pass:

Also House Bill No. 355, by Terrell, Hendricks and Hyde, and recommend that the bill do pass.

Also House Bill No. 358; and recommend that the bill do pass.

Also House Bill No. 196, by Bell, and recommend that the same do pass.

Also House Bill No. 436, by the Committee on Medicine, Surgery and Pharmacy, and recommend that the words and figure "one half ($\frac{1}{2}$)" be stricken from the title and the body of the bill, and that in lieu thereof be inserted the words and figure "one-third (1-3)" and that as so amended the bill do pass.

BELL,
Chairman.

Report adopted, and House Bills Nos. 396, 355, 358, 196, referred to Engrossing Committee and ordered engrossed.

The Committee on Printing submitted the following report:

Mr. Speaker:

Your Committee on Printing herewith report that we have had correctly printed and distributed the following: House Bills Nos. 356, 365 and 444; House Joint Resolutions Nos. 21, 27 and 29; amendments to House Bills Nos. 61, 98, 171, 149, 162, 195, 251, 258, 292, 287 and 349; amendments to Senate Bill No. 78.

JONES,
Chairman.

Report received.

Motions and Resolutions.

Edgington asked that the action of the House on Senate Bill No. 82 taken this morning be rescinded. The bill having been transmitted to the Senate, Edgington moved that Senate Bill No. 82 be recalled from the Senate.

Seconded by Johnston.

Motion carried.

Message From the Governor.

Boise, February 27th, 1911.

Mr. Speaker and Members of the House of Representatives:

I have this day approved House Bill No. 285, by Davis, an Act prescribing a penalty for escapes from the State penitentiary, and declaring an emergency.

Also House Bill No. 194, by Terrell, an Act amending Section 7902 of the Penal Code of Idaho, relating to the things that may be taken into a jury room by a jury, upon retiring for deliberation, and declaring an emergency.

Also House Bill No. 122, by Featherstone and Crow, an Act appropriating fourteen thousand dollars (\$14,000) for the benefit of the Children's Home Finding and Aid Society of Idaho, authorizing the State Auditor to draw warrants therefor, etc.

Also House Bill No. 2, by Bell and Holmberg, an Act to create and organize the County of Clearwater in the State of Idaho; to define the boundaries thereof; to classify said county and locate its county seat; to provide for the appointment of officers, etc

Also House Bill No. 238, by Taylor, an Act requiring the Tax Collector in each county of this State to give a written notice on or before the first day of December of each year to all persons owing taxes to such county, etc.

Respectfully,

JAMES H. HAWLEY,
Governor.

Third Reading of House and Senate Bills, Joint Resolutions and Memorials, and Final Action Thereon.

HOUSE BILL NO. 341, BY COMMITTEE ON IRRIGATION, RESERVOIRS AND RECLAMATION was read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Arthur, Baldridge, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Hanmer, Hellekson Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson Johnston, Jones, Kerby, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr Speaker

Nays—None.

Total number of votes, 54. Ayes, 54. Nays, 0 Absent, not voting, 5.

And so the bill passed, title was approved, and H. B. No. 341 was ordered transmitted to the Senate.

S. B. NO. 110, BY THE JUDICIARY COMMITTEE, was read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Arthur, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Edgington, Eimers, Farmin, Featherstone, Friend, Hanmer, Johnson, Johnston, Jones, Kerby, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Taylor, Thompson, Warnick, Wilson, Mr Speaker.

Nays—Dunning, Eckles, Hellekson, Hill, Holmberg, Hutton, Sorenson, Stephens, Strode, Walker, Wood

Total number of votes, 47. Ayes, 36 Nays, 11. Absent, not voting, 12.

And so the bill passed, title was approved, and S. B. No. 110 was ordered transmitted back to the Senate.

S. B. NO. 81, BY THE JUDICIARY COMMITTEE, was read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Arthur, Johnston, Oakes.

Nays—Baldridge, Bell, Berry, Black, Bower, Bradford, Bradley, Bur-

rell, Ceaser, Davis, Dunning, Eckles, Eimers, Farmin, Featherstone, Friend, Galloway, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Johnson, Jones, Kerby, Morgan, Nelson, Nielsen, Nihart, Parker, Pincock, Sanborn, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Mr. Speaker.

Total number of votes, 48 Ayes, 3. Nays, 45. Absent, not voting, 11.
And so Senate Bill No. 81 failed to pass the House

HOUSE BILL NO. 389, BY BLACK (BY REQUEST) was read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Baldridge, Bell, Berry, Black, Bower, Bradford, Bradley, Ceasar, Davis, Dunning, Eckles, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Mr. Speaker.

Nays—None.

Total number of votes 49. Ayes, 49. Nays, 0. Absent, not voting, 10.

And so the bill passed, title was approved, and House Bill No. 389 was ordered transmitted to the Senate.

HOUSE BILL NO. 392, BY BELL, BLACK, BRADLEY, ECKLES, EDGINGTON, GALLOWAY, GIBSON, HELLEKSON, JENSON, JOHNSTON, NELSON AND THOMPSON, was read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Arthur, Baldridge, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Gibson, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jayne, Jenson, Johnson, Johnston, Jones, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Strode, Terrell, Thompson, Walker, Warnick Mr. Speaker.

Nays—None.

Total number of votes, 48. Ayes, 48. Nays, none. Absent, not voting, 11.

And so the bill passed, title was approved and House Bill No. 392 was ordered transmitted to the Senate.

Third Reading of House and Senate Bills, Concurrent Resolutions and Joint Memorials and Final Action Thereon.

SENATE BILL NO. 66, BY POTTS, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Arthur, Baldridge, Berry, Black, Bradley, Burrell, Ceaser, Dunning, Eimers, Farmin, Featherstone, Friend, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, McCabe, Nelson, Nielsen, Parker, Pincock, Smith, Terrell, Walker, Warnick, Mr. Speaker.

Nays—Gibson, Morgan, Sanborn, Strode.

Total number of votes, 39. Ayes, 35. Nays, 4. Absent, not voting, 20.

And so the bill passed, title was approved, and Senate Bill No 66 was ordered transmitted to the Senate.

HOUSE BILL NO. 432, SUBSTITUTE FOR HOUSE BILL NO. 284,

BY COMMITTEE ON AGRICULTURE AND HORTICULTURE, read a third time at length, section by section, for final action

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceasar, Crow, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Hanmer, Helleksen, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Jones Kerby, McCabe, Nelson, Nihart, Oakes, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Terrell, Thompson, Walker, Warnick, Mr. Speaker.

Nays—Parker.

Total number of votes, 49. Ayes, 48. Nays, 1. Absent, not voting, 10.

And so the bill passed, title was approved and House Bill No 432 was ordered transmitted to the Senate

SENATE BILL NO 103, BY POTTS, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result.

Ayes—Allred, Berry, Black, Bower, Bradford, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Eimers, Featherstone, Friend, Galloway, Gibson, Hanmer, Hellekson, Hendricks, Holmberg, Hutton, Jacobs, Jayne, Jenson, Johnson, Johnston, Kerby, Morgan, McCabe, Nelson, Nihart, Oakes, Parker, Pincock, Smith, Sorenson, Stephens, Taylor, Terrell, Thompson, Walker, Warnick, Mr. Speaker.

Nays—Arthur, Bell, Bradley, Edgington, Farmin, Hill, Hyde, Jones, Sanborn.

Total number of votes, 51. Ayes, 42. Nays, 9. Absent, not voting, 8.

And so the bill passed, title was approved, and Senate Bill No 103 was ordered transmitted to the Senate.

HOUSE BILL NO. 382, BY DUNNING, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None

Total number of votes, 57. Ayes, 57. Nays, none. Absent, not voting, 2.

And so the bill passed, title was approved and House Bill No. 382 was ordered transmitted to the Senate

HOUSE BILL NO. 391, BY BLACK, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson,

Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 56. Ayes, 56. Nays, none. Absent, not voting, 3.

And so the bill passed, title was approved and House Bill No. 391 was ordered transmitted to the Senate.

SENATE BILL NO. 73, BY POOLE AND ECKERT, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Elmers, Featherstone, Friend, Hanmer, Hellekson, Hendricks, Hill Holmberg, Hutton, Hyde, Jacobs, Jayne, Jensen, Johnson, Johnston, Jones, Kerby, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 50. Ayes, 50. Nays, none. Absent, not voting, 9.

And so the bill passed, title was approved, and Senate Bill No. 73 was ordered transmitted to the Senate.

SENATE BILL No. 74, BY FREEHAFFER, read a third time at length, section by section, for final action.

Motion by Bower and seconded by Arthur that this bill be indefinitely postponed.

Motion lost.

Moved by Galloway that this bill be referred to the Committee of the Whole.

Speaker ruled the motion out of order, as the same motion had been made once before on this bill.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Bell, Berry, Bradley, Burrell, Crow, Davis, Dunning, Featherstone, Gibson, Hellekson, Hendricks, Holmberg, Hutton, Hyde, Jayne, Jensen, Johnson, Johnston, Jones, Kerby, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Warnick, Mr. Speaker.

Nays—Allred, Arthur, Baldrige, Black, Bower, Bradford, Ceaser, Eckles, Edgington, Elmers, Farmin, Friend, Galloway, Hanmer, Hill, Jacobs, Morgan, Nelson, Thompson, Walker, Wood.

Total number of votes, 53. Ayes, 32. Nays, 21. Paired, Terrell and Leaf. Absent and not voting, 4.

And so the bill passed, title was approved, and Senate Bill No. 74 was ordered returned to the Senate.

HOUSE BILL NO. 356, BY JACOBS, BY REQUEST, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Burrell, Edgington, Jacobs, Terrell.

Nays—Allred, Arthur, Baldrige, Bradley, Ceaser, Crow, Dunning, Eckles, Featherstone, Friend, Galloway, Gibson, Hanmer, Hellekson, Hendricks, Holmberg, Hutton, Hyde, Jayne, Jensen, Johnson, Jones, Kerby, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Thompson, Walker, Warnick, Wilson, Wood.

Total number of votes, 46. Ayes, 4. Nays, 42. Absent and not voting, 13.

And so the bill failed to pass.

HOUSE BILL NO. 388, BY BLACK, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Berry, Bradley, Dunning, Edgington, Eimers, Featherstone, Friend, Hanmer, Hellekson, Hendricks, Holmberg, Hutton, Hyde, Jacobs, Jayne, Johnson, Johnston, Jones, Kerby, Morgan, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sorenson, Stephens, Strode, Taylor, Thompson, Walker, Warnick, Wilson, Mr. Speaker.

Nays—None.

Total number of votes, 36. Ayes, 36. Nays, none. Absent and not voting, 23.

And so the bill passed, title was approved and House Bill No. 388 was ordered transmitted to the Senate.

HOUSE BILL NO. 385, BY CROW, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Baldrige, Berry, Black, Bower, Bradley, Ceaser, Crow, Dunning, Edgington, Eimers, Featherstone, Friend, Gibson, Hendricks, Hill, Jayne, Johnson, Johnston, Jones, Morgan, Nelson, Nielsen, Nihart, Oakes, Pincock, Smith, Sorenson, Stephens, Strode, Taylor, Thompson, Walker, Warnick, Mr. Speaker.

Nays—Hutton, Jacobs.

Total number of votes, 37. Ayes, 35. Nays, 2. Absent, not voting, 22.

And so the bill passed, title was approved and House Bill No. 385 was ordered transmitted to the Senate.

HOUSE BILL NO. 293, BY NIHART, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Berry, Black, Bower, Bradley, Burrell, Ceaser, Crow, Dunning, Eckles, Edgington, Eimers, Gibson, Hellekson, Hendricks, Hill, Hutton, Hyde, Johnston, Jones, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Smith, Sorenson, Stephens, Strode, Taylor, Thompson, Walker, Warnick, Mr. Speaker.

Nays—None.

Total number of votes, 39. Ayes, 39. Nays, none. Absent, not voting, 20.

And so the bill passed, title was approved and House Bill No. 293 was ordered transmitted to the Senate.

HOUSE BILL NO. 418, BY BRADFORD, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Mr. Speaker.

Nays—None.

Total number of votes, 48. Ayes, 48. Nays, none. Absent, not voting, 11.

And so the bill passed, title was approved and House Bill No. 418 was ordered transmitted to the Senate.

Message From the Governor.

Boise, Idaho, February 27, 1911.

Mr. Speaker and Members of the House of Representatives:

I have this day approved House Bill No. 198, by Baldrige, An Act appropriating three thousand fifty-nine dollars and ten cents (\$3,059.10), the same being thirty-five cents an acre for eight thousand seven hundred forty and twenty-eight hundredths (8,740.28) acres of State lands within the Black Canyon Irrigation District, Canyon County, Idaho, etc.

Respectfully,

JAMES H. HAWLEY,

Governor.

Third Reading of House Bills. Joint Resolutions and Joint Memorials, and Final Action Thereon.

HOUSE BILL NO. 390, BY BLACK (BY REQUEST), read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 50. Ayes, 50. Nays, none. Absent, not voting, 9.

And so the bill passed, title was approved and House Bill No. 390 was ordered transmitted to the Senate.

HOUSE BILL NO. 359, SUBSTITUTE FOR HOUSE BILL NO. 265, BY OAKES, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Davis, Dunning, Edgington, Eimers, Farmin, Featherstone, Holmberg, Jayne, Johnson, Johnston, Jones, Morgan, McCabe, Nihart, Oakes, Pincock, Sorenson, Taylor, Thompson, Warnick, Wood, Mr. Speaker.

Nays—Eckles, Friend, Hellekson, Hutton, Hyde, Jacobs, Nielsen, Parker, Smith, Stephens, Walker.

Total number of votes, 43. Ayes, 32. Nays, 11. Absent, not voting, 16.

And so the bill passed, title was approved and House Bill No. 359 was ordered transmitted to the Senate.

HOUSE BILL NO. 363, BY JUDICIARY COMMITTEE, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eimers, Farmin,

Featherstone, Friend, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 54. Ayes, 54. Nays, none. Absent, not voting, 5.

So the bill passed, title was approved, and House Bill No. 363 was ordered transmitted to the senate.

HOUSE BILL NO. 309, BY GLENNON, BY REQUEST, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Crow, Davis, Dunning, Farmin, Featherstone, Friend, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Walker.

Total number of votes, 51. Ayes, 50. Nays, 1. Absent and not voting, 8.

And so the bill passed, title was approved and House Bill No. 309 was ordered transmitted to the Senate.

HOUSE BILL NO. 230, BY ALLRED, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradley, Crow, Davis, Dunning, Eckles, Farmin, Featherstone, Galloway, Gibson, Hanmer, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Smith, Sorenson, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Mr. Speaker.

Nays—Hellekson, Stephens.

Total number of votes, 48. Ayes, 46. Nays, 2. Absent and not voting, 11.

And so the bill passed, title was approved and House Bill No. 230 was ordered transmitted to the Senate.

HOUSE BILL NO. 361, BY TERRELL AND FEATHERSTONE, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Hanmer, Hendricks, Hill, Holmberg, Hyde, Jacobs, Jayne, Johnson, Johnston, Jones, Kerby, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick.

Nays—Hellekson, Mr. Speaker.

Total number of votes, 51. Ayes, 49. Nays, 2. Absent, not voting, 8.

And so the bill passed, title was approved and House Bill No. 361 was ordered transmitted to the Senate.

HOUSE BILL NO. 298, BY JACOBS AND WOOD, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Eckles, Elmers, Farmin, Featherstone, Friend, Hanmer, Hendricks, Hill, Hyde, Jacobs, Johnston, Jones, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Pincock, Smith, Stephens, Strode, Taylor, Terrell, Walker, Warnick, Mr. Speaker.

Nays—Dunning, Gibson, Holmberg, Johnson, Kerby, Parker, Sorenson.

Total number of votes, 46. Ayes, 39. Nays, 7. Absent, not voting, 13.

And so the bill passed, title was approved and House Bill No. 298 was ordered transmitted to the Senate.

HOUSE JOINT RESOLUTION NO. 23, BY FRIEND AND ARTHUR, read a third time at length, section by section, for final action.

The question being, "Shall the resolution pass?" roll was called with the following result:

Ayes—Allred, Arthur, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Edgington, Elmers, Farmin, Featherstone, Friend, Hanmer, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Morgan, McCabe, Nelson, Nihart, Oakes, Smith, Sorenson, Taylor, Terrell, Thompson, Warnick, Wilson, Mr. Speaker.

Nays—Baldrige, Bell, Eckles, Gibson, Hellekson, Jones, Kerby, Nielsen, Parker, Pincock, Stephens, Strode.

Total number of votes, 53. Ayes, 41. Nays, 12. Absent, not voting, 6.

And so the resolution passed, title was approved, and House Joint Resolution No. 23 was ordered transmitted to the Senate.

HOUSE BILL NO. 310, BY CROW, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Elmers, Farmin, Featherstone, Friend, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jenson, Johnson, Johnston, Jones, Kerby, Morgan, McCabe, Nelson, Nielsen, Nihart, Pincock, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Warnick, Wood, Mr. Speaker.

Nays—Gibson, Jayne, Walker.

Total number of votes, 52. Ayes, 49. Nays, 3. Absent, not voting, 7.

And so the bill passed, title was approved and House Bill No. 310 was ordered transmitted to the Senate.

Message From the Senate.

Mr. Speaker:

I have the honor to transmit herewith House Joint Resolution No. 10 which was indefinitely postponed in the Senate February 23.

Also House Bills Nos. 253 and 143, which have been indefinitely postponed in the Senate.

Also Senate Bills Nos. 121, 137 and 84, which have passed the Senate.

Also House Bills Nos. 68, 74, 72, 109, 161 and 160 which have been amended in and passed the Senate.

Also House Bills Nos. 60, 395, 104 and 247 which have passed the Senate.

Also Senate Bills Nos 63, 98, 148, 75, 127 and 130 which have passed the Senate.

CHARLES J. LISLE,

Assistant Secretary of Senate.

By unanimous consent the following House and Senate Bills were referred to the Committee of the Whole.

House Bills Nos 306 and 32, Senate Bill No. 116.

First Reading of Senate Amendments to House Bills.

Senate amendments to the following House Bills were read first time in full:

H. B. No. 68.

H. B. No. 74.

H. B. No. 72.

H. B. No. 109.

H. B. No. 160.

House Bill No. 161.

Second Reading of Printed Amendments to House Bills.

Printed amendments to the following House Bills were read a second time in full:

H. B. No. 329.

H. B. No. 61.

H. B. No. 349.

H. B. No. 195.

H. B. No. 258.

H. B. No. 78.

H. B. No. 292.

H. B. No. 98.

Hellekson moved that House adjourn until 7:30 p. m. and at that time House consider the General Calendar.

Seconded by Morgan.

House adjourned

Evening Session.

House met pursuant to adjournment. Mr. Speaker in the Chair.

Roll call showed all members present except Glennon, excused, and Leaf, excused, on account of sickness

House In Committee of the Whole.

House resolved itself into Committee of the Whole for consideration of the General Calendar. Black in the Chair.

House in Regular Session.

Johnston moved that House Bill No. 134 be taken from the table.

Seconded by Jayne.

Motion carried.

House In Committee of the Whole.

House resolved itself into Committee of the Whole for the consideration of House Bill No. 134 and other bills

House In Regular Session.

The Committee of the Whole submitted the following report:

Mr. Speaker:

The Committee of the Whole has had under consideration the general calendar and makes the following recommendations:

That further consideration of House Bill No. 146 be indefinitely postponed.

That further consideration of House Bill No. 170 be indefinitely postponed.

That House Bill No. 32 be amended as follows: That the words

and figures "seven thousand dollars (\$7,000.00)," be stricken from the title of said House Bill and the words and figures "five thousand five hundred (\$5,500)" be substituted therefor.

That the words and figures "seven thousand dollars (\$7,000.00)," in line 3, Section 9, be stricken out and the words and figures "five thousand five hundred dollars (\$5,500)" be substituted therefor.

And that line 6, in Section 10, be amended by striking out the word and figure "seven (7)" and substituting therefor the word and figure "six (6)."

And that lines 5 and 6, in Section 16, be amended by striking out the words and figures "seven thousand dollars (\$7,000)" and substituting therefor the words and figures "five thousand five hundred dollars (\$5,500)"; and that line 9, Section 16, be amended by striking out the words "seven thousand dollars" and substituting therefor the words "five thousand five hundred dollars." And that line 17 of said Section 16 be amended by striking out the words and figures "seven thousand dollars (\$7,000)" and substituting therefor the words and figures, "five thousand five hundred dollars (\$5,500)."

That the word "Bingham" be changed to "Bonneville" wherever the same appears and that the following be added to Section 16: "Provided, further, That no State aid shall be given under this Act toward the construction of said bridge until the County Commissioners of the county in which the same is to be located, have first, by resolution, passed and spread upon their minutes, agreed to maintain and keep in repair said bridge if built hereunder.

And as so amended the bill do pass.

That House Bills Nos. 152 and 151 be laid over and retain their place on the calendar.

That House Bill No. 12 do pass.

That House Bill No. 164 be amended as follows:

In line 16, paragraph 4, after the words "resident widows" insert "Resident women who have procured divorces from their husbands, and who have not remarried."

And as so amended the bill do pass.

That House Bill No. 272 do not pass.

That House Bill No. 138 be amended by striking out the emergency clause, Section 4.

And as so amended the bill do pass.

That House Bill No. 216 be laid over and retain its place on the calendar.

That House Bill No. 394 be amended by striking the emergency clause from the title.

And as thus amended the bill do pass.

That House Bill No. 227 be laid over and retain its place on the calendar.

That House Bill No. 281 be indefinitely postponed.

That House Bill No. 371 do pass.

That House Bill No. 168 be amended as follows: In Section 1, line 3, substitute the words and figures "one thousand three hundred eighty-nine dollars (\$1,389)" for the words and figures, "two thousand seventy-five dollars (\$2,075)."

In line 6 of same section, after the word "Idaho," add the following: "Provided, That the payment of said sum be conditioned upon the acceptance by the Liberty Plumbing and Heating Company, Limited, thereof, in full payment of its claim against the State."

That House Bill No. 34 do pass.

That House Bill No. 368 do not pass.

That House Bill No. 369 do not pass.

That House Bill No. 386 be laid over and retain its place on the Calendar.

That House Joint Resolution No. 15 be indefinitely postponed.

That House Joint Resolution No. 11 be amended as follows:

Strike out of Section 1, line 14, the figures "1912" and insert in lieu thereof the figures "1914."

And as thus amended the resolution do pass.

That House Joint Resolution No. 20 be indefinitely postponed.

That house Joint Resolution No. 21 be adopted.

That House Joint Resolution No. 22 be adopted

BLACK,
Chairman.

Moved by Black and seconded by Berry that report of the Committee of the Whole be adopted.

Motion carried.

Report adopted.

On motion of Hellekson House adjourned until 9 a. m. Tuesday.

CHARLES D. STOREY,
Speaker.

JAMES H. WALLIS,
Chief Clerk.

TUESDAY, FIFTY-EIGHTH DAY, FEBRUARY 28, 1911.

Morning Session.

Hall of the House of Representatives,
Boise, Idaho, February 28, 1911.

House met pursuant to adjournment Mr. Speaker in the chair.

Prayer was offered by the Chaplain.

Roll call showed all members present except Leaf and Wilson, who were excused on account of sickness.

Journal for the fifty seventh day was then read.

Committee on Journal submitted the following report:

Mr. Speaker:

We, your Committee on Journal, having had under consideration the Journal for the fifty-seventh day, report that we have corrected same, and move that the Journal for that day be approved.

WARNICK,
Chairman.

Report adopted and Journal for the fifty-seventh day approved.

Message From the Governor.

Mr. Speaker and Members of the House of Representatives:

I have this day approved House Bill No. 53, by Strode and Featherstone. An Act to provide for the protection of workmen and employees against the imposing of unlawful conditions affecting the place at which, the manner in which, or the person with whom any workman or employee may board, etc.

Respectfully,

JAMES H. HAWLEY,
Governor.

Messages From the Senate.

Mr. Speaker:

I have the honor to transmit herewith House Bills Nos. 63, 62, 298, 180, 266 and 274 which have been indefinitely postponed by the Senate.

CHARLES J. LISLE,
Assistant Secretary of Senate.

Reports of Standing Committees.

The Committee on Live Stock submitted the following report:

Mr. Speaker:

We, your Committee on Live Stock, respectfully report that we have had under consideration Senate Bill No. 124 and recommend that it do pass; also report that we have had under consideration House Bill No. 446 and recommend that it do pass.

ARTHUR,

Chairman.

Report adopted and Senate Bill No. 124 filed for third reading; House Bill No. 446 referred to Engrossing Committee and ordered engrossed.

The Judiciary Committee submitted the following report:

Mr. Speaker:

We, your Committee on Judiciary, respectfully report that we have had under consideration Senate Bill No. 145 and recommend that it do pass.

FEATHERSTONE,

Chairman.

Report adopted and Senate Bill No. 145 filed for third reading.

The Committee on Revenue and Taxation submitted the following report:

Mr. Speaker:

We, your Committee on Revenue and Taxation, respectfully report that we have had under consideration Senate Bill No. 59, and recommend that it do pass.

FARMIN,

Chairman.

Report adopted and Senate Bill No. 59 filed for third reading.

The Committee on Engrossed and Enrolled Bills submitted the following report:

Mr. Speaker:

We, your Committee on Engrossed and Enrolled Bills, report House Bills Nos. 287, 357, 354, 86, 251, 149, 171, 268, 320 and 237 correctly engrossed.

GLENNON,

Chairman.

Report received and House Bills Nos. 287, 357, 354, 86, 251, 149, 171, 268, 320 and 237 filed for third reading.

Committee on Privileges and Elections submitted the following report:

Mr. Speaker:

A mistake having been made by me in reporting on February 20, House Joint Resolution No. 11 with recommendation to pass, I wish to correct that report by saying that the report should have been: "We recommend that House Joint Resolution No. 11 be amended by striking out the figures '1912' in line 13, Section 1, and substituting therefor the figures '1914,' and that the resolution be placed upon the general calendar."

BRADLEY,

Chairman Privileges and Elections Committee.

Committee on Printing submitted the following report:

Mr. Speaker:

Your Committee on Printing herewith report that we have had correctly printed and distributed the following: House Bills Nos. 357, 361, 362, 364, 376, 400, 402, 403, 405, 445, 446, 447, 448, 449 and 451. House Joint Resolutions Nos. 20 and 28. Amendments to House Bills Nos. 268, 297, 320, 329, 354 and 430.

JONES,

Chairman.

Report received.

Motions and Resolutions.

Hanmer moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that the amendments to House Bill No. 240, the same having been printed, be read the first and second times and referred with the original bill to the Engrossing Committee and ordered engrossed.

Seconded by Glennon.

The question being, "Shall the rules be suspended?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Morgan, McCabe, Nelson, Nielson, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 57. Ayes, 57 Nays, 0. Absent and not voting, 2.

And so the rules were suspended, and the amendment to House Bill No. 240 were read the first and second times and, with the original bill, referred to the Engrossing Committee and ordered engrossed.

Farmin moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that the amendments to House Bill No. 429, the same having been printed, be read the first and second times, and referred, with the original bill, to the Engrossing Committee and ordered engrossed.

Seconded by Jones

The question being, "Shall the rules be suspended?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Morgan, McCabe, Nelson, Nielson, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 57. Ayes, 57. Nays, 0. Absent and not voting, 2.

And so the rules were suspended and the amendments to House Bill No. 429 were read the first and second times, and with the original bill, referred to the Engrossing Committee and ordered engrossed.

Second Reading and Reference of House Bills, Concurrent Resolutions and Joint Memorials Amended by the Senate.

The following House Bills amended by the Senate were read second time in full:

H. B. No. 68.

H. B. No. 109.

H. B. No. 160.

H. B. No. 74.
H. B. No. 161.
H. B. No. 153.
H. B. No. 27.
H. B. No. 114.
H. B. No. 123.
H. B. No. 64.

First Reading of Senate Bills, Concurrent Resolutions and Joint Memorials.

The following Senate Bills were read first time in full:

S. B. No. 63, by Poole and Eckert.
S. B. No. 98, by Coates.
S. B. No. 148, by Haight.
S. B. No. 75, by Judiciary Committee.
S. B. No. 127, by Yates.
S. B. No. 130, by Judiciary Committee.
S. B. No. 84, by Haight.
S. B. No. 137, by Williams.
S. B. No. 121, by Shawhan.
S. B. No. 101, by Macbeth and Kerns.
S. B. No. 135, by Potts.
S. B. No. 113, by Williams.

Unanimous consent was given to return to the tenth order of business.

Introduction of Bills, Concurrent Resolutions and Joint Memorials.

Unanimous consent was given to the introduction of the following bills:

H. B. NO. 452, BY CROW.

An Act to amend Article 4 of Chapter 2 of Title 2 of the Political Code by inserting therein a new section to be known as Section 67a, Providing for the designation of laws by consecutive chapter numbers; and declaring an emergency.

H. B. NO. 453, BY JUDICIARY COMMITTEE (BY REQUEST).

An Act to amend Sections 1 and 5 of an Act entitled, "An Act to provide for the indeterminate sentence of persons convicted of certain felonies; for the termination of such sentences and the release of such persons; creating a Prison Board and defining the duties thereof", approved March 11, 1909.

First Reading of House Bills, Joint Resolutions and Memorials.

The following House Bills were read first time in full:

H. B. No. 452, by Crow.

H. B. No. 453, by Judiciary Committee, by request.

Unanimous consent was given to return to the Ninth Order of business.

Motions and Resolutions.

Black moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that the amendments to House Bill No. 32 be read the first and second times and referred to the Engrossing Committee with the original bill and ordered engrossed.

Seconded by Hanmer.

The question being, "Shall the rules be suspended?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Brad-

ford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Elmers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wood, Mr. Speaker.

Nays—None

Total number of votes, 57. Ayes, 57. Nays, 0. Absent, not voting, 2.

And so the amendments to House Bill No. 32 were read first and second time and referred, with original bill, to Engrossing Committee and ordered engrossed.

Black moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that the amendments to House Bill No. 164 be read the first and second times and referred to the Engrossing Committee with the original bill and ordered engrossed.

Seconded by Hanmer.

The question being, "Shall the rules be suspended?" roll was called with the following result.

Ayes—Allred, Arthur, Baldridge, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Elmers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 57. Ayes, 57. Nays, 0. Absent, not voting, 2.

And so the amendments to House Bill No. 164 were read first and second time and referred, with original bill, to Engrossing Committee and ordered engrossed.

Black moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that the amendments to House Bill No. 168 be read the first and second times and referred to the Engrossing Committee with the original bill and ordered engrossed.

Seconded by Hanmer.

The question being, "Shall the rules be suspended?" roll was called with the following result:

Ayes—Allred, Arthur, Baldridge, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Elmers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 57. Ayes, 57. Nays, 0. Absent, not voting, 2.

And so the amendments to House Bill No. 168 were read first and

second time and referred, with original bill, to Engrossing Committee and ordered engrossed.

Black moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that the amendments to House Bill No. 138 be read the first and second times and referred to the Engrossing Committee with the original bill and ordered engrossed.

Seconded by Hanmer.

The question being, "Shall the rules be suspended?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 57. Ayes, 57. Nays, 0. Absent, not voting, 2.

And so the amendments to House Bill No. 138 were read first and second time and referred, with original bill, to Engrossing Committee and ordered engrossed.

Black moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that the amendments to House Bill No. 394 be read the first and second times and referred to the Engrossing Committee with the original bill and ordered engrossed.

Seconded by Hanmer.

The question being, "Shall the rules be suspended?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 57. Ayes, 57. Nays, 0. Absent, not voting, 2.

And so the amendments to House Bill No. 394 were read first and second time and referred, with original bill, to Engrossing Committee and ordered engrossed.

Black moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that the amendments to H. J. R. No. 11 be read the first and second times and referred to the Engrossing Committee with the original bill and ordered engrossed.

Seconded by Hanmer.

The question being, "Shall the rules be suspended?" roll was called with the following result:

Ayes—Allred, Arthur, Baldridge, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hammer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 57. Ayes, 57. Nays, 0. Absent, not voting, 2.

And so the amendments to H. J. R. No. 11 were read first and second time and referred, with original bill, to Engrossing Committee and ordered engrossed.

Berry moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that Senate Bill No. 121 be read the second time by title, and the third time at length, section by section, and be put upon its final passage.

Seconded by Bradley.

The question being, "Shall the rules be suspended?" roll was called with the following result.

Ayes—Allred, Berry, Black, Bradley, Crow, Davis, Dunning, Hammer, Jacobs, Jayne, Johnson, Jones, Nihart, Oakes, Sanborn, Thompson, Warnick, Mr. Speaker.

Nays—Arthur, Bradford, Ceaser, Eckles, Edgington, Featherstone, Friend, Galloway, Gibson, Glennon, Hellekson, Hendricks, Johnston, Morgan, McCabe, Nelson, Parker, Smith, Stephens, Strode, Taylor, Walker, Wood.

Total number of votes, 41. Ayes, 18. Nays, 23. Absent, not voting, 18.

And so the motion was lost.

Third Reading of House and Senate Bills, Joint Resolutions and Memorials and Final Action Thereon.

SENATE BILL NO. 150, BY FREEHAFFER, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hammer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Morgan, McCabe, Nelson, Nielsen, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 54. Ayes, 54. Nays, 0. Absent, not voting, 5.

And so the bill passed, title was approved, and Senate Bill No. 150 was ordered transmitted to the Senate.

HOUSE BILL NO. 112, BY SMITH, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Berry, Bower, Crow, Davis, Edgington, Featherstone, Nielsen, Sanborn, Smith, Walker, Warnick.

Nays—Allred, Arthur, Bell, Black, Bradford, Bradley, Ceaser, Dunning, Eckles, Eimers, Farmin, Friend, Galloway, Gibson, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Jones, Kerby, Morgan, McCabe, Nihart, Oakes, Parker, Pincock, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Wood, Mr. Speaker.

Total number of votes, 52. Ayes, 11. Nays, 44, Absent, not voting, 7.

And so the bill failed to pass.

SENATE BILL NO. 78, BY WHITCOMB, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Jones, Kerby, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Taylor, Thompson, Walker, Wood, Mr. Speaker.

Nays—Eckles, Warnick.

Total number of votes, 51. Ayes, 49. Nays, 2. Absent, not voting, 8.

And so the bill passed, title was approved, and Senate Bill No. 78 was ordered transmitted to the Senate.

HOUSE BILL NO. 443, BY NIHART, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Taylor, Terrell, Thompson, Warnick, Wood, Mr. Speaker.

Nays—Walker.

Total number of votes, 53. Ayes, 52. Nays, 1. Absent, not voting, 6.

And so the bill passed, title was approved, and House Bill No. 443 was ordered transmitted to the Senate.

SENATE BILL NO. 90, BY WHITCOMB AND MACBETH, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hendricks, Hill, Holmberg, Hutton, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Taylor, Terrell, Thompson, Warnick, Wood, Mr. Speaker.

Nays—Burrell, Hellekson, Hyde, Walker.

Total number of votes, 55. Ayes, 51. Nays, 4. Absent, not voting, 4.

And so the bill passed, title was approved and Senate Bill No. 90 was ordered transmitted to the Senate.

HOUSE BILL NO 381, BY NIHART, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Baldrige, Bell, Berry, Bower, Bradford, Bradley, Burrell, Ceaser, Dunning, Gibson, Glennon, Hanmer, Johnston, Kerby, Nielsen, Nihart, Oakes, Sanborn, Smith, Taylor, Warnick.

Nays—Arthur, Black, Crow, Eckles, Edgington, Eimers, Farmin, Featherstone, Galloway, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Jones, Morgan, McCabe, Parker, Pincock, Sorenson, Stephens, Terrell, Thompson, Walker, Wood, Mr. Speaker.

Total number of votes, 53. Ayes, 22. Nays, 31. Absent, not voting, 6.

And so House Bill No. 381 failed to pass.

SENATE BILL NO. 53, BY PAGE, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hyde, Jacobs, Jayne, Jenson, Johnson, Jones, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Warnick, Wood, Mr. Speaker.

Nays—Hutton, Kerby, Morgan, Walker.

Total number of votes, 56. Ayes, 52. Nays, 4. Absent, not voting, 3.

And so the bill passed, title was approved, and Senate Bill No. 53 was ordered transmitted to the Senate.

HOUSE BILL NO. 440, BY STATE AFFAIRS COMMITTEE, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wood, Mr. Speaker.

Nays—Sanborn.

Total number of votes, 57. Ayes, 56. Nays, 1. Absent, not voting, 2.

And so the bill passed, title was approved, and House Bill No. 440 was ordered transmitted to the Senate.

SENATE BILL NO. 62, BY PUGMIRE AND PRESTON, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Smith, Sorenson, Stephens, Strode, Taylor,

Terrell, Thompson, Warnick, Wood, Mr. Speaker.

Nays—Hutton, Kerby, Morgan, Sanborn, Walker.

Total number of votes, 56. Ayes, 51. Nays, 5. Absent, not voting, 3.

And so the bill passed, title was approved, and Senate Bill No. 62 was ordered transmitted to the Senate.

HOUSE BILL NO. 411, by SMITH, TAYLOR, HELLEKSON, PINCOCK AND JACOBS, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Bower, Bradley, Burrell, Davis, Elmers, Farmin, Gibson, Glennon, Hellekson, Hill, Holmberg, Hyde, Jacobs, Jayne, Jones, Morgan, Nelson, Nielsen, Nihart, Oakes, Pincock, Smith, Strode, Taylor, Terrell, Thompson, Warnick, Mr. Speaker.

Nays—Black, Bradford, Ceaser, Crow, Dunning, Eckles, Edgington, Featherstone, Friend, Galloway, Hammer, Hendricks, Hutton, Johnson, Johnston, Kerby, McCabe, Sanborn, Sorenson, Stephens, Walker, Wood.

Total number of votes, 55. Ayes, 33. Nays, 22. Absent, not voting, 4.

And so the bill passed, title was approved, and House Bill No. 411 was ordered transmitted to the Senate.

SENATE BILL NO. 157, BY YATES, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Edgington, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hammer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Warnick, Wood, Mr. Speaker.

Nays—Dunning, Eckles, Elmers.

Total number of votes, 55. Ayes, 52. Nays, 3. Absent, not voting, 4.

And so the bill passed, title was approved, and Senate Bill No. 157 was ordered transmitted to the Senate.

HOUSE BILL NO. 277, BY JOHNSTON, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Elmers, Farmin, Featherstone, Friend, Galloway, Gibson, Hammer, Hellekson, Hendricks, Hill, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnston, Jones, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wood, Mr. Speaker.

Nays—Kerby.

Total number of votes, 53. Ayes, 52. Nays, 1. Absent, not voting, 6.

And so the bill passed, title was approved, and House Bill No. 277 was ordered transmitted to the Senate.

SENATE BILL NO. 136, BY COMMITTEE ON CORPORATIONS, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Jones, Kerby, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Walker.

Total number of votes, 52. Ayes, 51. Nays, 1. Absent, not voting, 7.

And so the bill passed, title was approved, and Senate Bill No 126 was ordered transmitted to the Senate.

HOUSE BILL NO. 270, BY CROW (BY REQUEST), read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Berry, Black, Bower, Bradley, Dunning, Eckles, Eimers, Featherstone, Friend, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Jones, Morgan, Nihart, Oakes, Parker, Pincock, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Wilson, Wood, Mr. Speaker.

Nays—Kerby.

Total number of votes, 38. Ayes, 37. Nays, 1. Absent, not voting, 21.

And so the bill passed, title was approved, and House Bill No. 270 was ordered transmitted to the Senate.

SENATE BILL NO. 138, BY LEE AND COATES, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Jones, Kerby, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 55. Ayes, 55. Nays, none. Absent, not voting, 4.

And so the bill passed, title was approved, and Senate Bill No. 138 was ordered transmitted to the Senate.

HOUSE BILL NO. 362, BY FEATHERSTONE (BY REQUEST), read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Berry, Bell, Black, Bower, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 52. Ayes, 52. Nays, none. Absent, not voting, 7.

And so the bill passed, title was approved, and House Bill No. 362 was ordered transmitted to the Senate.

SENATE BILL NO. 10, BY KERNS, as amended by the House, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Elmers, Farmin, Featherstone, Friend, Galloway, Gibson, Hammer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 56. Ayes, 56. Nays, none. Absent, not voting, 3.

And so the bill passed, title was approved, and Senate Bill No. 10 was ordered transmitted to the Senate.

HOUSE BILL NO. 428 (SUBSTITUTE FOR HOUSE BILL NO. 205), BY FARMIN, JONES AND SANBORN, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Elmers, Farmin, Featherstone, Friend, Galloway, Gibson, Hammer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Mr. Speaker.

Nays—None.

Total number of votes, 56. Ayes, 56. Nays, None. Absent, not voting, 3.

And so the bill passed, title was approved, and House Bill No. 428 was ordered transmitted to the Senate.

SENATE BILL NO. 50 AS AMENDED BY HOUSE, BY FREE-HAFTER read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Elmers, Farmin, Featherstone, Friend, Galloway, Gibson, Hammer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Mr. Speaker.

Nays—None.

Total number of votes, 56. Ayes, 56. Nays, none. Absent, not voting, 3.

And so the bill passed, title was approved, and Senate Bill No. 50 was ordered transmitted to the Senate.

HOUSE BILL NO. 350, BY HANMER AND LEAF read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Elmers, Farmin, Featherstone, Friend, Galloway, Gibson, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Smith, Sorenson, Stephens, Taylor, Terrell, Thompson, Walker, Warnick, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 54. Ayes, 54. Nays, none. Absent, not voting, 5.

And so the bill passed, title was approved, and House Bill No. 350 was ordered transmitted to the Senate.

SENATE BILL NO. 3, BY MACBETH read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Elmers, Farmin, Featherstone, Friend, Galloway, Gibson, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 55. Ayes, 55. Nays, none. Absent, not voting, 4.

And so the bill passed, title was approved, and Senate Bill No. 3 was ordered transmitted to the Senate.

HOUSE BILL NO. 364, BY BRADFORD read a third time at length, section by section, for final action.

Moved by Farmin and seconded by Smith, that this bill be referred to the Committee of the Whole.

Motion lost.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Bradford, Bradley, Ceaser, Davis, Dunning, Eckles, Edgington, Elmers, Farmin, Friend, Hellekson, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Nelson, Nielsen, Nihart, Oakes, Parker, Sanborn, Sorenson, Stephens, Taylor, Warnick, Wood, Mr. Speaker.

Nays—Black, Bower, Burrell, Crow, Featherstone, Gibson, Hanmer, Hendricks, Hill, Jones, Kerby, Morgan, McCabe, Pincock, Smith, Strode, Terrell, Thompson, Walker.

Total number of votes, 55. Ayes, 36. Nays, 19. Absent, not voting, 4.

And so the bill passed, title was approved, and House Bill No. 364 was ordered transmitted to the Senate.

On motion of Morgan, House took a recess until 2 p. m.

Afternoon Session.

House met pursuant to adjournment. Mr. Speaker in the Chair.

Roll call showed all members present, except Wilson excused, and Leaf excused on account of sickness.

Message From the Governor.

The following message relative to House Bill No. 3 was received from the Governor:

Mr. Speaker and Members of the House of Representatives:

I have this day approved House Bill No. 3, by Bell, an Act creating and establishing the Agricultural College Fund, providing that moneys received into the State Treasury from certain sources shall be placed in and constitute such fund, and appropriating all of the moneys credited thereto for the support and maintenance of the College of Agriculture of the University of Idaho.

Respectfully,

JAMES H. HAWLEY,

Governor.

On motion by Morgan, seconded by Nihart, the message was referred to the Committee on Judiciary.

Reports of Standing Committees.

The Committee on Printing submitted the following report:

Mr. Speaker:

Your Committee on Printing herewith report that we have had correctly printed and distributed the following:

Amendments to House Bills Nos. 32, 129, 138, 164, 168, 233, 296, 314, 379 and 394. House Joint Resolution No. 11.

The following bills have been read by copy, corrected and sent to the printer:

House Bills Nos. 452 and 453.

JONES,

Chairman.

Report received.

Committee on Judiciary submitted the following report:

Mr. Speaker:

The Judiciary Committee having had under consideration House Bill No. 398, by Morgan, on examining the same find that owing to the changes required by reason of the passage of other bills since the introduction of this, that it is impossible to make the required amendments, and herewith return substitute bill in lieu of said House Bill No. 398.

FEATHERSTONE,

Chairman.

Report received.

The Committee on Railroads, Carriers and Other Public Corporations submitted the following report:

Mr. Speaker:

We, your Committee on Railroads, Carriers and Other Public Corporations having had under consideration House Bill No. 282 report the same back to the House with the recommendation that it be placed on the General Calendar.

DAVIS,

Chairman.

Report received.

The Committee on State Affairs submitted the following report:

Mr. Speaker:

The Committee on State Affairs, having had under consideration House Joint Resolution No. 28, substitute for House Joint Resolution No. 3, by Strode, hereby return the same to the House with the recommendation that a new resolution be substituted providing for five members of the Supreme Court, with a term of six years, and recommend that substitute which is hereto attached, be introduced and that it do pass.

JOHNSTON,

Chairman.

Report received.

The Judiciary Committee submitted the following report:

Mr. Speaker:

We, your Committee on Judiciary, respectfully report that we have had under consideration Senate Bills Nos. 76, 140, 144 and recommend that same do pass.

FEATHERSTONE,

Chairman.

Report adopted and Senate Bill Nos. 76, 140 and 144 filed for third reading.

The Judiciary Committee submitted the following report:

Mr. Speaker:

We, your Committee on Judiciary, respectfully report that we have had under consideration Senate Bill No. 30, and recommend that it do pass.

FEATHERSTONE,

Chairman.

Report adopted and Senate Bill No. 30 filed for third reading.

The Committee on Live Stock submitted the following report:

Mr. Speaker:

We, your Committee on Live Stock, respectfully report that we have had under consideration House Bill No. 448 and return it without recommendation.

ARTHUR,

Chairman.

Report accepted.

The Committee on Engrossed and Enrolled Bills submitted the following report:

Mr. Speaker:

We, your Committee on Engrossed and Enrolled Bills report House Bills Nos. 313, 396, 355 and 447, 435, 358, 436, 240, 257, 217, 12 and House Joint Resolution No. 22 correctly engrossed.

GLENNON,

Chairman.

Report received and House Bills Nos. 313, 396, 355, 447, 435, 358, 436, 240, 257, 217, 12 and House Joint Resolution No. 22 filed for third reading.

The Committee on Education submitted the following report:

Mr. Speaker:

We, your Committee on Education, beg leave to report that we have had under consideration House Bill No. 226, by Jacobs, and recommend that it be amended as follows:

Strike out all of Section 2, Section 3 and Section 4, and as amended, that the bill do pass.

HANMER,

Chairman.

Report received.

The Committee on Engrossed and Enrolled Bills submitted the following report:

Mr. Speaker:

We, your Committee on Engrossed and Enrolled Bills, report House Bill No. 132 correctly enrolled.

GLENNON,

Chairman.

Report received.

Motions and Resolutions.

Unanimous consent was given Friend to introduce the following resolution.

H. C. R. NO. 13, BY FRIEND.

Be it resolved by the Legislature of the State of Idaho:

Whereas, a bill (H. R. 29,346), known as the Sulloway bill, granting pensions to certain enlisted men, soldiers and officers, who served in the civil war and the war with Mexico, has passed the House of Representatives in the Congress of the United States and is now pending in the Senate; therefore, be it

Resolved (If the Senate concur), That we heartily approve of the provisions of said bill, and we hereby respectfully request our Senators in Congress to vote for and use every honorable means to secure its passage by the Senate of the United States just as it passed the House of Representatives, without alteration or amendment as to benefits provided;

Resolved, That copies of this resolution, signed by the respective officers of the House, be sent to each of the Senators from Idaho in the Congress of the United States, and that the Secretary of State be instructed to wire a copy of these resolutions to each of our Senators in Congress.

Moved by Friend that resolution be adopted.

Seconded by Parker.

Motion carried, and House Concurrent Resolution No. 13 adopted and ordered transmitted to the Senate.

Unanimous consent was given Smith for the introduction of the following House Joint Resolution:

H. J. R. NO. 31, BY SMITH.

A resolution to amend Article 18 of the Constitution by adding thereto Section 12 prohibiting the creation of new counties by local or special laws and directing the Legislature to authorize the creation of new counties by local elections under general laws; prescribing the terms and conditions thereof.

Introduction of Bills, Concurrent Resolutions and Joint Memorials.

By unanimous consent, the following bills were introduced:

H. B. NO. 452, BY CROW.

An Act to amend Article 4 of Chapter 2 of Title 2 of the Political Code by inserting therein a new section to be known as Section 67a; providing for the designation of laws by consecutive chapter numbers, and declaring an emergency.

H. B. NO. 453, BY JUDICIARY COMMITTEE. (BY REQUEST).

An Act to amend Sections 1 and 5 of an Act entitled, "An Act to provide for the indeterminate sentence of persons convicted of certain felonies; for the termination of such sentences and the release of such persons; creating a prison board and defining the duties thereof," approved March 11, 1909.

H. B. NO. 454, BY DAVIS. (BY REQUEST).

An Act creating a Commissioner of Indian War Records; prescribing his duties; providing an appropriation to defray the expenses thereof.

H. B. NO. 455, BY JOHNSON. (SUBSTITUTE FOR H. B. NO. 335).

An act to provide for the commemoration of the fiftieth anniversary of the establishment of Idaho Territory, and making an appropriation therefor, and creating a commission and providing for the appointment thereof with power to do any and all things necessary in the premises, including the allowance of claims for the expenses to be incurred under such appropriation.

H. B. NO. 456, BY GIBSON (SUBSTITUTE FOR H. B. NO. 250).

An Act authorizing the State Board of Land Commissioners of the State of Idaho to extend the time of final payment due on all cer-

tificates of sale for state school lands in the year 1911, for a period of one year; providing that interest on such final payments shall be paid in the same manner as heretofore, and declaring an emergency.

H. B. NO. 457, BY THE JUDICIARY COMMITTEE (SUBSTITUTE FOR H. B. NO. 398, BY MORGAN).

An Act creating the Tenth Judicial District; providing for the appointment of a Judge thereof; providing for the fixing of the terms of court in said district and relating to the causes, actions, matters and proceedings within the counties comprising said district; adding Clearwater County to the Second Judicial District; providing for the fixing of the terms of court in the counties of Clearwater and Latah for the year 1911 and relating to the causes, actions, matters and proceedings pending therein, and amending Section 26 of the Revised Codes of Idaho as amended by Senate Bill No. 152 of the Tenth Legislative session, Session Laws of 1909, at page 194, and as further amended by acts of the Eleventh Session of the Legislature of the State of Idaho.

H. J. R. NO. 32, BY JUDICIARY COMMITTEE (SUBSTITUTE FOR HOUSE JOINT RESOLUTION NO. 3).

A Joint Resolution proposing the amendment of Section 6, Article 5, of the Constitution of the State of Idaho, as amended by a Joint Resolution of the Legislature of the State of Idaho, passed at its Tenth Session and adopted at the general election, 1910, submitting to the electors of said State of Idaho, for their rejection or approval, the question, shall said section be so amended as to increase the number of Justices of the Supreme Court from three to five members?

First Reading of House Bills, Concurrent Resolutions and Joint Memorials.

The following House Bills were read first time in full:

H. B. No. 452, by Crow.

H. B. No. 453, by Judiciary Committee.

H. B. No. 454, by Davis, by request.

H. B. No. 455, by Johnson (substitute for House Bill No. 335).

H. B. No. 456, by Gibson (substitute for House Bill No. 250).

H. B. No. 457, by Judiciary Committee (substitute for H. B. No. 398, by Morgan).

H. J. R. No. 32 (substitute for H. J. R. No. 3), by Judiciary Committee.

Third Reading House Bills, Joint Memorials, and Concurrent Resolutions.

Strode moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency, and that House Joint Resolution No. 32 be read the first and second times by title and the third time at length, section by section and be put upon its final passage.

Seconded by Featherstone.

The question being, on the suspension of the rules the roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Morgan, McCabe, Nelson, Nielsen,

Nihart, Oakes, Parker, Pincock, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wood, Mr. Speaker.'

Nays—None.

Total number of votes, 53. Ayes, 53. Nays, none. Absent, not voting, 6.

And so the rules were suspended.

HOUSE JOINT RESOLUTION NO. 32 was then read a first and second time by title and a third time at length, section by section, for final action.

The question being, "Shall the resolution pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldridge, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Morgan, McCabe, Nelson, Neilsen, Nihart, Oakes, Parker, Pincock, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 53. Ayes, 53. Nays, none. Absent, not voting, 6.

And so the resolution passed, title was approved, and House Joint Resolution No. 32 was ordered transmitted to the Senate.

Davis moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency, and that House Joint Resolution No. 31 be read the first and second times by title and the third time at length, section by section, and be put upon its final passage.

Seconded by Smith.

The question being on the suspension of the rules, the roll was called with the following result:

Ayes—Allred, Arthur, Baldridge, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Morgan, McCabe, Nelson, Nielson, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 56. Ayes, 56. Nays, none. Absent, not voting, 3.

And so the rules were suspended.

HOUSE JOINT RESOLUTION NO. 31, by Smith, was then read a first and second time by title and a third time at length, section by section, for final action.

The question being, "Shall the resolution pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldridge, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Morgan, McCabe, Nelson, Nielson, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 56. Ayes, 56. Nays, none. Absent, not voting, 3.

And so the bill passed, title was approved, and House Joint Resolution No. 31 was ordered transmitted to the Senate.

Johnson moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days to be dispensed with, this being a case of urgency, and that House Bill No. 455, the same having been printed, be read the first and second times by title and the third time at length, section by section, and be put upon its final passage.

Seconded by Morgan.

The question being, on the suspension of the rules, the roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Black, Bradley, Ceaser, Crow, Davis, Dunning, Eckles, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Helleksen, Hendricks, Hill Holmberg, Hyde, Jacobs, Jayne, Jenson, Johnson, Jones, Morgan, McCabe, Nelson, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wood, Mr. Speaker.

Nays—Kerby.

Total number of votes, 49. Ayes, 48. Nays, 1. Absent, not voting, 10. And so the rules were suspended.

HOUSE BILL NO. 455 (substitute for H. B. No. 335), by Jacobs, Eimers and Bell, then read a first and second time by title and a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Black, Bradley, Ceaser, Crow, Davis, Dunning, Eckles, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Helleksen, Hendricks, Hill, Holmberg, Hyde, Jacobs, Jayne, Jenson, Johnson, Jones, Morgan, McCabe, Nelson, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wood, Mr. Speaker.

Nays—Kerby.

Total number of votes, 49. Ayes, 48. Nays, 1. Absent, not voting, 10.

And so the bill passed, title was approved, and House Bill No. 455 was ordered transmitted to the Senate.

Featherstone moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency, and that amendments to Senate Bill No. 131, the same having been printed, be read the first and second times and that Senate Bill No. 131, as amended by the House, be read the third time at length, section by section, and be put upon its final passage.

Seconded by Morgan.

The question being, on the suspension of the rules, the roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Helleksen, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Jones, Kerby, Morgan, McCabe, Nelson, Nielson, Nihart,

Oakes, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell Thompson, Walker, Warnick, Wood. Mr. Speaker.

Nays—None.

Total number of votes, 53. Ayes, 53. Nays, none. Absent, not voting, 6.

And so the rules were suspended and amendments to S. B. No. 131 were read first and second time, and

SENATE BILL NO. 131, as amended by the House, was read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hammer, Hellekson, Hendricks, Hill, Holmberg, Hyde, Jacobs, Jayne, Jenson, Johnson, Jones, Kerby, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 53. Ayes, 53. Nays, none. Absent, not voting, 6.

And so the bill passed, title was approved, and Senate Bill No. 131 was ordered transmitted to the Senate.

Motions and Resolutions.

Edgington moved that the Committee on Printing be authorized to have one thousand copies of Senate Bill No. 65 printed, and all other bills in any sense supplementing the local option laws which have been signed by the Governor.

Seconded by Hill.

Motion carried.

House Bills Signed By Speaker.

Speaker, in the presence of the House, signed House Bill No. 132.

Third Reading of House and Senate Bills, Concurrent Resolutions and Joint Memorials.

Arthur moved that House Bill No. 327 be placed upon its third reading and final passage.

Seconded by Friend.

Motion carried.

HOUSE BILL NO. 327, BY ARTHUR AND FRIEND, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Elmers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hammer, Hellekson, Hendricks, Hill, Holmberg, Hyde, Jacobs, Jayne, Jenson, Johnson, Jones, Morgan, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wood, Mr. Speaker.

Nays—Hutton.

Total number of votes, 51. Ayes, 51. Nays, 1. Absent, not voting, 7.

And so the bill passed, title approved and House Bill No. 327 was ordered transmitted to the Senate.

Gibson moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all

bills to be read on three several days be dispensed with, this being a case of urgency, and that House Bill No. 456, the same having been printed, be read the first and second times by title and the third time at length, section by section, and be put upon its final passage.

Seconded by Hill.

The question being on the suspension of the rules the roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Morgan, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 55. Ayes, 55. Nays, none. Absent, not voting, 4.

And so the rules were suspended.

HOUSE BILL NO. 456, was then read the first and second time by title and the third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Morgan, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 55. Ayes, 55. Nays, none. Absent, not voting, 4.

And so the bill passed, title was approved and House Bill No. 456 was ordered transmitted to the Senate.

Morgan moved that House Bill No. 196 be placed upon its final passage.

Seconded by Eckles.

Motion carried.

HOUSE BILL NO. 196, BY BELL, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bradley, Ceaser, Crow, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell Thompson, Walker, Warnick, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 53. Ayes, 53. Nays, none. Absent, not voting, 6.

And so the bill passed, title was approved, and House Bill No. 196 was ordered transmitted to the Senate.

Senate Bill Signed by the Speaker.

Speaker, in the presence of the House, signed Senate Bills Nos. 88, 73, 4, 74, 110, 44, 122 and 13.

Third Reading of House and Senate Bills and Final Action Thereon.

Moved by Terrell, and seconded by Jayne, that House Bill No. 355 be placed upon its final passage at this time.

Motion carried.

HOUSE BILL NO. 355, BY TERRELL, HENDRICKS AND HYDE, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldridge, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 56. Ayes, 56. Nays, none. Absent, not voting, 3.

And so the bill passed, title was approved, and House Bill No. 355 was ordered transmitted to the Senate.

Moved by Friend, and seconded by Stephens, that House Bill No. 191 be placed upon its third reading and final passage at this time.

Motion carried.

HOUSE BILL NO. 191, BY FRIEND AND STEPHENS, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldridge, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 57. Ayes, 57. Nays, none. Absent, not voting, 2.

And so the bill passed, title was approved, and House Bill No. 191 was ordered transmitted to the Senate.

Taylor moved that House Bill No. 396 be placed on final passage.

Seconded by Smith.

Hanmer moved, as a substitute motion, that consideration of House Bill No. 396 be indefinitely postponed.

Seconded by Walker.

Johnston moved, as a substitute for all pending motions, that the House make House Bill No. 396 a special order for this time, and that immediately after all other bills concerning appropriations be disposed of.

Seconded by Smith.

Galloway moved, as a substitute for all motions offered, that House consider in Committee of the Whole all educational bills carrying appropriations.

Seconded by Hanmer.

Motion lost.

The question was then upon the motion by Johnston to make House Bill No. 396 a special order for this time and all other appropriation bills to follow.

Motion carried.

Third Reading of House and Senate Bills, Concurrent Resolutions, and Joint Memorials.

HOUSE BILL NO. 396, BY TAYLOR read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bradford, Bradley, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Elmers, Farmin, Featherstone, Friend, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Morgan, Nelson, Neilsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Mr. Speaker.

Nays—Galloway, Kerby, Wood.

Total number of votes, 54. Ayes, 51. Nays, 3. Absent, not voting, 5.

And so the bill passed, title was approved, and House Bill No. 396 was ordered transmitted to the Senate.

HOUSE BILL NO. 435, SUBSTITUTE FOR HOUSE BILL NO. 44, BY COMMITTEE ON APPROPRIATIONS read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Elmers, Farmin, Featherstone, Friend, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Morgan, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 52. Ayes, 52. Nays, none. Absent, not voting, 7.

And so the bill passed, title was approved, and House Bill No. 435 was ordered transmitted to the Senate.

HOUSE BILL NO. 358, BY JOHNSON, WOOD, HOLMBERG, SORENSON AND JACOBS read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Elmers, Farmin, Featherstone, Friend, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Morgan, McCabe, Nelson, Nielsen, Nihart, akes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wood, Mr. Speaker.

Nays—None

Total number of votes, 55. Ayes, 55. Nays, none. Absent, not voting, 4.

And so the bill passed, title was approved, and House Bill No. 358 was ordered transmitted to the Senate.

HOUSE BILL NO. 297, BY WARNICK AND HILL, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Baldridge, Berry, Black, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Eimers, Farmin, Featherstone, Friend, Galloway, Hill, Jacobs, Jayne, Johnson, Jones, Nielsen, Oakes, Parker, Pincock, Sanborn, Taylor, Thompson, Walker, Warnick, Mr. Speaker.

Nays—Dunning, Eckles, Gibson, Hellekson, Holmberg, Hutton, Hyde, Jenson, Kerby, Morgan, Stephens, Strode.

Total number of votes, 42. Ayes, 30. Nays, 12. Absent, not voting, 17.

And so the bill passed, title approved and House Bill No. 297 was ordered transmitted to the Senate.

HOUSE BILL NO. 275, BY EIMERS, PARKER AND STEPHENS, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Baldridge, Bell, Black, Bradford, Bradley, Burrell, Davis, Dunning, Eimers, Featherstone, Friend, Galloway, Gibson, Glennon, Hellekson, Hendricks, Hill, Hyde, Jacobs, Jenson, Johnson, Jones, Nielsen, Nihart, Oakes, Parker, Pincock, Smith, Sorenson, Taylor, Terrell, Warnick, Mr. Speaker.

Nays—Hutton, Morgan, Walker.

Total number of votes, 36. Ayes, 33. Nays, 3. Absent, not voting, 23.

And so the bill passed, title was approved, and House Bill No. 275 was ordered transmitted to the Senate.

Smith moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that House Bill No. 436, as amended, the same having been printed and engrossed, be read the first and second times by title and the third time at length, section by section, and be put upon its final passage.

Seconded by Taylor.

The question being on the suspension of the rules, roll was called with the following result:

Ayes—Allred, Arthur, Baldridge, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hammer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 56. Ayes, 56. Nays, none. Absent, not voting, 3.

And so the rules were suspended.

HOUSE BILL NO. 436, BY COMMITTEE ON MEDICINE, SURGERY AND PHARMACY, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldridge, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Eim-

ers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 56. Ayes, 56. Nays, none. Absent, not voting, 3.

And so the bill passed, title approved and House Bill No. 436 was ordered transmitted to the Senate.

Morgan moved that all rules of the House interfering with the immediate passage of bills be suspended, that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that House Bill No. 457 be read the first and second times.

Seconded by Walker.

The question being on the suspension of the rules, roll was called with the following result.

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Elmers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 56. Ayes, 56. Nays, none. Absent, not voting, 3.

And so the rules were suspended.

House Bill No. 457 (Substitute for House Bill No. 398), by Judiciary Committee, was then read first and second times in full.

Moved by Strode, and seconded by Jenson, that House Bill No. 320 be placed on the general calendar.

Motion carried.

Davis moved that the general calendar be made a special order for 7:30 p. m.

Motion carried.

On motion by Davis, House took a recess until 7:30 p. m.

Evening Session.

House met pursuant to adjournment, Mr. Speaker in the chair.

Roll call showed all members present, except Leaf and Wilson, who were excused on account of sickness.

Crow moved that the House at this time consider S. B. Nos 120 and 149. Seconded by Edgington.

Motion carried

Third Reading of House and Senate Bills, Joint Resolutions and Memorials and Final Action Thereon.

SENATE BILL NO. 120, BY GOODING AND SHAWHAN read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Berry, Black, Bower, Bradford, Bradley, Crow, Eckles, Edgington, Elmers, Featherstone, Friend, Galloway, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Jayne, Johnson, Jones, McCabe, Nihart, Oakes, Parker, Pincock, Smith,

Stephens, Taylor, Thompson, Warnick, Wood, Mr. Speaker.

Total number of votes, 36 Ayes, 36. Nays, 0. Absent, not voting, 23.

Nays—None.

And so the bill passed, title was approved, and Senate Bill No. 120 was ordered transmitted to the Senate.

SENATE BILL NO. 149, BY GOODING, (SUBSTITUTE FOR NO. 49) read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Berry, Black, Bower, Bradford, Bradley, Crow, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Glennon, Hammer, Hellekson, Hendricks, Hill, Holmberg, Jayne, Johnson, Jones, Kerby, McCabe, Nihart, Oakes, Parker, Pincock, Smith, Stephens, Strode, Taylor, Terrell, Thompson, Warnick, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 40. Ayes, 40. Nays, 0. Absent, not voting, 19.

And so the bill passed, title was approved, and Senate Bill No. 149 was ordered transmitted to the Senate.

HOUSE BILL NO. 402, BY TERRELL (BY REQUEST), read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Hammer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jones, Kerby, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 53. Ayes, 53. Nays, 0. Absent, not voting, 6.

And so the bill passed, title was approved, and House Bill No. 402 was ordered transmitted to the Senate.

HOUSE BILL NO. 403, BY TERRELL, BY REQUEST read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Hammer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jensen, Johnston, Jones, Kerby, Morgan, McCabe, Nelson, Neilson, Nihart, Oakes, Parker, Pincock, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 53. Ayes, 53. Nays, none. Absent, not voting, 6.

And so the bill passed, title was approved, and House Bill No. 403 was ordered transmitted to the Senate.

HOUSE BILL NO. 257, BY BRADFORD read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Hammer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Johnson, Johnston, Jones, Kerby, Morgan, McCabe, Nelson, Neilsen, Nihart, Oakes, Parker, Pincock, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Wainick, Wood, Mr Speaker.

Nays—Walker.

Total number of votes, 54. Ayes, 53 Nays, 1. Absent, not voting, 5.

And so the bill passed, title was approved, and House Bill No. 257 was ordered transmitted to the Senate.

HOUSE BILL NO. 204, BY SMITH (BY REQUEST), read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Hammer, Hellekson, Hendricks, Hill, Holmberg, Jacobs, Jayne, Johnson, Jones, Kerby, Nihart, Oakes, Parker, Pincock, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Walker, Wainick, Wood.

Nays—Eckles, Gibson, Hutton, Morgan, McCabe, Thompson, Mr. Speaker.

Total number of votes, 50. Ayes, 43. Nays, 7 Absent, not voting, 9.

And so the bill passed, title was approved, and House Bill No 204 was ordered transmitted to the Senate.

Committee of the Whole.

House then resolved itself into Committee of the Whole, with Black in the Chair.

House in Session.

The Committee of the Whole submitted the following report:
Mr. Speaker:

The Committee of the Whole has had under consideration the general calendar and makes the following recommendations:

That House Bill No. 320 do pass.

That House Bill No. 289 do pass.

That House Bill No. 227 be indefinitely postponed.

That Senate Bill No. 108 be amended as follows:

In Section 3, line 3, after the word "Government" insert the following: "covering all State administrations from and after the year 1890." And in Section 4, line 2, strike out the words and figures "five thousand dollars (\$5,000)" and substitute the words and figures "ten thousand dollars (\$10,000)" in lieu thereof.

And as amended the bill do pass.

That House Bill No. 147 be amended as follows: Strike out all of Sections 1 and 2. In line 18, page 3, change "Section 3" to "Section 1."

In line 17, page 4, change "Section 4" to "Section 2." After line 14, page 5, insert the following sections:

"Section 3. Provided, That nothing in this Act shall apply to any Rural High School except those organized under the provisions of the laws of the Tenth Session."

"Section 4. Provided, however, That any such district so voting itself out and withdrawing from such Rural High School District, as provided in Sections 3 and 4 of this Act, shall forfeit all right, title and interest in and to all school equipment and property owned and belonging to said Rural High School District, and shall be released from all debts thereof."

"Section 5. This Act shall not apply to or permit any school district now forming a part of any Rural High School District, the major portion of which is within a radius of five miles of the school house of said Rural High School District, where school is kept, to withdraw therefrom."

"Section 6. All Acts or parts of Acts in conflict with this Act are hereby repealed."

"Section 7. An emergency existing therefor, this Act shall take effect and have force from and after its passage and approval."

And as thus amended the bill do pass.

That House Bill No. 316 be amended as follows: In line 15, Section 1, strike out after the word "of" all the remaining part of the section and insert "the general fund of the State at the rate of one hundred dollars (\$100) per child: Provided, That no more than four thousand dollars (\$4,000) shall be appropriated for said purpose."

And as thus amended the bill do pass.

That House Bill No. 294 be amended as follows: In line 13, Section 1, after the word "lands" and before the word "belonging" insert the words "ditch, canal, lateral and water rights."

And as thus amended the bill do pass.

BLACK,
Chairman.

Black moved that the report be adopted.

Seconded by Bradford.

Johnston moved as a substitute motion that the report of the Committee, with the exception of the action taken concerning House Bill No. 227, be adopted.

Morgan moved that the substitute motion be tabled.

Seconded by Hutton.

Motion withdrawn.

Roll call was demanded on Johnston's motion with the following result:

Ayes—Baldrige, Bell, Berry, Black, Bower, Bradley, Crow, Farmin, Glennon, Hellekson, Hendricks, Hill, Hyde, Jayne, Johnson, Oakes, Pincock, Terrell, Walker.

Nays—Arthur, Bradford, Burrell, Elmers, Featherstone, Friend, Galloway, Hammer, Holmberg, Hutton, Jacobs, Johnson, Jones, Morgan, McCabe, Nihart, Stephens, Taylor, Thompson, Warnick, Wilson, Wood, Mr. Speaker.

Total number of votes, 42. Ayes, 19. Nays, 23. Absent not voting, 17.

And so the motion was lost.

Morgan moved to reconsider the vote by which motion by Johnston was adopted.

Motion seconded.

Morgan moved that the motion to reconsider the vote be tabled. Seconded by Hutton.

Berry moved to adjourn. Seconded by Galloway.

Motion lost.

Morgan's motion to table the motion to reconsider was then put and carried.

Morgan then moved the adoption of the report of the Committee of the Whole.

Seconded by Hutton.

Motion carried.

Morgan moved to reconsider the vote by which the report of the Committee of the Whole was adopted.

Seconded by Hutton.

Morgan moved, seconded by Hutton, to table the motion to reconsider.

Motion carried.

Galloway gave notice that on tomorrow he would move to reconsider the vote by which House Bill No. 227 was indefinitely postponed.

Bell gave notice that on tomorrow he would move to reconsider the vote by which House Bill No. 112, by Smith, failed to pass.

Black introduced the following motion:

I move that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that amendments to Senate Bill No. 108 be read first and second times and ordered printed.

Seconded by Johnston.

The question being on the suspension of the rules, roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Dunning, Eckles, Edgington, Elmers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hammer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 56. Ayes, 56. Nays, None. Absent, not voting, 2.

And so the rules were suspended.

Amendments to Senate Bill No. 108 were then read a first and second time in full and ordered printed.

Black introduced the following motion:

I move that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that amendments to House Bill No. 147 be read first and second times and ordered printed.

Seconded by Johnston.

The question being on the suspension of the rules, roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Dunning, Eckles, Edgington, Elmers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hammer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 56. Ayes, 56. Nays, none. Absent, not voting, 3.

And so the rules were suspended.

Amendments to House Bill No. 147 were then read a first and second time in full and ordered printed.

Black introduced the following motion:

I move that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of

urgency, and that amendments to House Bill No. 316 be read first and second times and ordered printed.

Seconded by Johnston.

The question being on the suspension of the rules, roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Dunning, Eckles, Edgington, Elmers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hammer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 56. Ayes, 56. Nays, none. Absent, not voting, 3.

And so the rules were suspended.

Amendments to House Bill No. 316 were then read a first and second time in full and ordered printed.

Black introduced the following motion:

I move that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency, and that amendments to House Bill No. 294 be read first and second times and ordered printed.

Seconded by Johnston.

The question being on the suspension of the rules, roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Dunning, Eckles, Edgington, Elmers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hammer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Morgan, McCabe, Nelson, Nielson, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 56. Ayes, 56. Nays, none. Absent, not voting, 3.

And so the rules were suspended.

Amendments to House Bill No. 294 were then read a first and second time in full and ordered printed.

On motion by Morgan, House adjourned until 9 a. m. Wednesday.

CHARLES D. STOREY,
Speaker.

JAMES H. WALLIS
Chief Clerk.

WEDNESDAY, FIFTY-NINTH DAY, MARCH 1, 1911.

Morning Session.

Hall of House of Representatives,
Boise, Idaho, March 1, 1911.

House met pursuant to adjournment. Mr. Speaker in the Chair.

Prayer was offered by the Chaplain.

Roll call showed all members present except Leaf, who was excused on account of sickness.

Journal for the Fifty-Eighth day was then read.

The Journal Committee submitted the following report:
Mr. Speaker:

We, your Committee on Journal, having had under consideration the Journal for the Fifty-Eighth day, report that we have corrected same, and move that the Journal for that day be approved

WARNICK,
Chairman.

Report adopted and Journal for the Fifty-Eighth day approved.

Upon motion of Hanmer, unanimous consent was given to consider House Bill No. 240 at this time.

Third Reading of House and Senate Bills, Joint Resolutions and Memorials and Final Action Thereon.

HOUSE BILL NO. 240, BY COMMITTEE ON EDUCATION, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Elmers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Kerby.

Total number of votes, 58. Ayes, 57. Nays, 1. Absent, not voting, 1.

And so the bill passed, title was approved, and House Bill No. 240 was transmitted to the Senate.

Speaker announced the Chief Clerk's need of two additional assistants

Morgan moved that two additional clerks be employed at the usual per diem of five dollars.

Seconded by Nihart.

Motion carried.

Miss Minnie B Smith appeared before the desk and was sworn in by the Speaker.

Senate Bills Signed by Speaker.

Speaker announced that he was about to sign and in the presence of the House signed Senate Bills Nos. 66, 82, 103, 41, 58, and Senate Concurrent Resolution No. 8.

Unanimous consent was given for the consideration of House Bills Nos. 149 and 171.

HOUSE BILL NO. 149, BY COMMITTEE ON PUBLIC HEALTH, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Elmers, Farmin, Featherstone, Friend, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Morgan, McCabe, Nielsen, Nihart, Oakes, Pincock, Sanborn, Smith, Sorenson, Stephens, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Mr. Speaker.

Nays—Kerby, Nelson, Parker, Wood.

Total number of votes, 55. Ayes, 51. Nays, 4. Absent, not voting, 4.

And so the bill passed, title was approved, and House Bill No. 149 was ordered transmitted to the Senate.

HOUSE BILL NO. 171, BY COMMITTEE ON PUBLIC HEALTH, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Elmers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Morgan, McCabe, Nelson, Nihart, Oakes, Pincock, Sanborn, Smith, Sorenson, Thompson, Walker, Warnick, Wilson, Mr. Speaker.

Nays—Nielsen, Parker, Stephens, Wood.

Total number of votes, 53. Ayes, 49. Nays, 4. Absent, not voting, 6.

And so the bill passed, title was approved, and House Bill No. 171 was ordered transmitted to the Senate.

Morgan moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that House amendments to Senate Bill 108 be read the first and second times and the bill as amended be read the third time at length, section by section, and be put upon its final passage.

Seconded by Johnston.

The question being, "Shall the rules be suspended?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Elmers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strobe, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 58. Ayes, 58. Nays, none. Absent and not voting, 1.

And so the rules were suspended, and House amendments to Senate Bill No. 108 were read first and second times.

SENATE BILL NO. 108, BY MACBETH AND KERNS, AS AMENDED BY THE HOUSE, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Bell, Berry, Black, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Elmers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnston, Jones, Kerby, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Pincock, Sanborn, Smith, Sorenson, Stephens, Strobe, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Edgington, Parker.

Total number of votes, 55. Ayes, 53. Nays, 2. Absent, not voting, 4.

And so the bill passed, title was approved, and Senate Bill No. 108 was ordered transmitted to the Senate.

Reports of Standing Committees.

The Committee on Engrossed and Enrolled Bills submitted the following report:

Mr. Speaker:

We, your Committee on Engrossed and Enrolled Bills report House Bills Nos. 329, 292, 371, 34 and 77 correctly engrossed.

GLENNON,
Chairman.

Report received and House Bills Nos. 329, 292, 371, 34 and 77 filed for third reading.

Mr. Speaker:

We, your Committee on Engrossed and Enrolled Bills, report House Bills Nos. 104, 60, 445, 395 and 247 correctly enrolled.

GLENNON,
Chairman.

Reports received.

The Committee on County Lines and Boundaries submitted the following report:

Mr. Speaker:

We, your Committee on County Lines and Boundaries, having had under consideration House Bill No. 318, by Walker, beg leave to report that we recommend that the bill do not pass.

JOHNSTON,
Chairman.

Moved by Walker, seconded by Hill, that House Bill No. 318 be placed on the calendar.

Motion carried.

The Committee on Roads, Bridges and Ferries submitted the following report:

Mr. Speaker:

We, your Committee on Roads, Bridges and Ferries respectfully report that we have had under consideration House Bill No. 373 and recommend that it do pass. Also respectfully report that we have had under consideration House Bill No. 416 and recommend that it do pass and be referred to the Committee on Appropriations.

JACOBS,
Chairman.

Report adopted and House Bill No. 416 referred to Appropriations Committee; House Bill No. 373 referred to Engrossing Committee and ordered engrossed.

The Judiciary Committee submitted the following report:

Mr. Speaker:

We, your Committee on Judiciary, respectfully report that we have had under consideration Senate Bill No. 94 and recommend that it do pass.

FEATHERSTONE,
Chairman.

Report adopted and Senate Bill No. 94 filed for third reading.

The Committee on Engrossed and Enrolled Bills submitted the following report:

Mr. Speaker:

We, your Committee on Engrossed and Enrolled Bills, report House Bills Nos. 296, 61, 98, 286, 446, 195, 258, 222 and House Joint Resolution No. 21 correctly engrossed.

GLENNON,
Chairman

Report received and House Bills Nos. 296, 61, 286, 446, 195, 258, 222, and House Joint Resolution No. 21 filed for third reading.

Motions and Resolutions.

Hanmer offered the following resolution:

HOUSE CONCURRENT RESOLUTION, NO. 14, BY HANMER.
Resolved by the House of Representatives, the Senate concurring,

That, when this Session shall have adjourned the Chief Clerk of the House shall collect two typewriters in the House and shall turn the same over to the Secretary of State, who shall place the same at the disposal of the Superintendent of Schools for the Deaf, Dumb and Blind, at Gooding, Idaho.

Hanmer moved the adoption of the Resolution.

Seconded by Friend.

Motion carried.

Bell moved to reconsider the vote by which House Bill No. 112 failed to pass on February 28.

Hanmer seconded the motion.

Motion lost.

Strode asked unanimous consent to withdraw House Bill No. 320. Hellekson objected.

Strode then moved that House Bill No. 320 be indefinitely postponed.

Seconded by Parker.

Roll call was demanded with the following result:

Ayes—Bower, Bradford, Ceaser, Dunning, Edgington, Featherstone, Friend, Gibson, Hanmer, Holmberg, Hutton, Johnson, McCabe, Nelson, Parker, Sanborn, Smith, Sorenson, Strode, Wilson.

Nays—Allred, Arthur, Baldridge, Bell, Berry, Bradley, Burrell, Farmin, Galloway, Hellekson, Hendricks, Hill, Hyde, Jacobs, Jayne, Jenson, Johnston, Jones, Morgan, Nielsen, Nihart, Oakes, Pincock, Stephens, Taylor, Terrell, Thompson, Walker, Warnick, Wood, Mr. Speaker.

Total number of votes, 51. Ayes, 20. Nays, 31. Absent, and not voting, 8.

And so the motion was lost.

Galloway moved, seconded by Edgington, to reconsider the vote by which the report of the Committee of the Whole was adopted yesterday.

Speaker ruled the motion out of order.

Galloway appealed from the decision of the chair.

Galloway moved, seconded by Edgington, to take from the table the motion to reconsider the vote by which the report of the Committee of the Whole was adopted.

Speaker held this motion was out of order.

Galloway moved, seconded by Edgington, to take from the table the motion to reconsider.

The Speaker ruled that both Galloway and Bell were out of order in serving notice on yesterday that they would move to reconsider the vote on House Bills Nos. 112 and 227, inasmuch as Rule 29 provides that on and after the 50th day of the Session the motion to reconsider can only be made on the same day the vote to be reconsidered is taken.

Galloway appealed from the decision.

Galloway moved, seconded by Neilsen, to suspend all parliamentary rules and all rules of the House and take the motion that was made last evening to reconsider the vote by which the report of the Committee of the Whole was adopted concerning House Bill No. 227 from the table.

Morgan moved that the motion of Galloway be indefinitely postponed.

Seconded by Hutton.

Roll call was demanded with the following result:

Ayes—Arthur, Bell, Black, Bradford, Burrell, Ceaser, Elmers, Featherstone, Friend, Gibson, Hanmer, Holmberg, Hutton, Jacobs, Jenson, Johnson, Jones, Morgan, McCabe, Nihart, Parker, Sanborn, Sorenson, Stephens, Taylor, Thompson, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Allred, Baldrige, Berry, Bower, Bradley, Dunning, Eckles, Edgington, Farmin, Galloway, Glennon, Hellekson, Hendricks, Hill, Hyde, Jayne, Johnston, Kerby, Nelson, Nielsen, Oakes, Pincock, Smith, Stuede, Walker.

Total number of votes, 55. Ayes, 30. Nays, 25. Absent, and not voting, 4.

Morgan's motion carried.

Message From the Governor.

Mr. Speaker and Gentlemen of the House of Representatives:

I herewith return to you without my approval House Bill No. 263, substitute for House Bill No. 125, by Davis, Edgington and Bradley, entitled:

"An Act compelling the removal of signs and all other advertising matter which serve to advertise the saloon business from buildings which have been used for saloon purposes and which are located within territory in which the sale of intoxicating liquor as a beverage is now or shall hereafter be prohibited by law; and providing penalties for the violation thereof."

Section 1 of this Act prescribed that in the prohibition counties of the state,

"Any person or persons, firm, company or corporation, owning any building, saloon, store or other place in which intoxicating liquor as a beverage was formerly or is now sold * * * must within sixty days after the passage and approval of this Act * * * remove, or cause to be removed, from such building, saloon, store or other place, all signs, pictures, paintings, placards or other advertising matter of any nature whatsoever which serve to advertise the saloon business," etc.

And Section 2 prescribes that any such person or persons, firm, company or corporation, failing to comply with the provisions of this Act shall be deemed guilty of a misdemeanor and the failure to comply with these provisions shall be deemed a separate and distinct offense for each day after the expiration of sixty days from the passage of this Act. It will be noticed from the reading of this bill that it is the owner only of the building that is guilty of the crime. There are very few buildings used for business purposes in any of our cities or towns but what are occupied by tenants under a lease, and the usual lease gives such tenant the absolute possession of such buildings under certain conditions and restrictions, none of which conditions and restrictions as a usual thing would give any power under the provisions of this Act for the owner to take possession of the buildings for the purpose of removing objectionable signs. If the Legislature deems it advisable to pass an Act of this kind, the party in possession of the building, as a tenant or lessee, should be the person made guilty of the crime mentioned. Such tenant or lessee alone, as a general thing, would have the right to put up or take down signs of any kind, and in case of a violation of the law such tenant or lessee would be the real guilty party. By the provisions of the bill, the really guilty party is held harmless and is not guilty of a crime at all, while the owner of the building, whether such owner be a home or foreign corporation, company, firm or individual, is made guilty. Many of the persons and corporations owning buildings in the State leased for a term of years or of months, do not reside within the State, and still, under the provisions of this proposed law, such person or corporation is guilty of a crime if an objectionable sign is maintained in or about such building by the tenant over whose actions they have no control, and such person or corporation is made guilty of the crime of maintaining such signs while the really guilty party goes harmless. Not only that,

but every day that the sign is maintained is a new and distinct offense, and, under the terms of this bill, such owner could be convicted of a hundred offenses in regard to a matter over which he had no control and of which he had no knowledge, while the responsible parties could not be held liable. Great hardship could easily be worked upon an owner under such circumstances, especially if the tenant or lessee desired to harass such owner.

Leaving out the above matters, which I think you will agree with me are fatal, and which undoubtedly escaped your notice when the bill passed your Honorable Body, I believe the bill in question should not become a law even if it provided for the punishment of the really guilty party, because it would undoubtedly in prohibition territory cause to be destroyed evidence of great value to the prosecuting attorney in case of violation of the liquor traffic. Any old prosecutor can readily see that a sign of the kind mentioned in the bill maintained on or in buildings where it was charged a defendant was unlawfully selling liquors, would of itself and in itself be the strongest kind of proof of guilt. I think you will agree that in many cases it would make a conviction possible where otherwise the prosecution could not be maintained.

The policy of prosecuting a corporation, association or firm for an offense of this kind is doubtful and I doubt whether the bill in this respect would be effective. Other reasons suggest themselves to me why this kind of legislation should not be favorably considered, but I believe I have instanced enough reasons to satisfy you as to the correctness of my conclusions.

Respectfully submitted,

JAMES H. HAWLEY,
Governor.

Boise, Idaho, March 1, 1911.

The question being, "Shall House Bill No. 203 pass, notwithstanding the Governor's veto?" roll was called with the following result:

Ayes—Black, Farmin, Hill, Warnick, Mr. Speaker.

Nays—Allred, Arthur, Baldrige, Bell, Berry, Bower, Bradford, Bradley, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Elmers, Featherstone, Friend, Glennon, Hanmer, Hellekson, Hendricks, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Wilson, Wood.

Total number of votes, 55. Ayes, 5. Nays, 50. Absent, not voting, 4.

And so the bill did not pass, and Governor's veto was sustained.

Motions and Resolutions.

Morgan moved that House Rule 30 and all other rules of the House interfering with the reconsideration of the vote by which Senate Bill No. 104 was defeated in the House be suspended.

Seconded by Jenson.

The question being, "Shall the rules be suspended?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Elmers, Farmin, Featherstone, Friend, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Bradford, Sanborn.

Total number of votes, 55 Ayes, 53 Nays, 2. Absent, not voting, 4.
And so the rules were suspended.

Morgan then moved that the vote by which Senate Bill No. 104 was defeated be now reconsidered.

Seconded by Dunning.

Motion carried.

SENATE BILL NO. 104, BY PRESTON, read a third time at length, section by section, for final action

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldridge, Bell, Black, Bower, Bradley, Ceaser, Crow, Dunning, Eckles, Farmin, Featherstone, Friend, Galloway, Hellekson, Holmberg, Hutton, Hyde, Jacobs, Jenson, Johnson, Jones, Morgan, McCabe, Nelson, Nihart, Parker, Pincock, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Warnick, Wilson, Wood, Mr. Speaker

Nays—Berry, Bradford, Edgington, Hanmer, Jaynes, Oaks, Sanborn, Thompson, Walker.

Total number of votes, 48 Ayes, 39. Nays, 9. Absent, not voting, 11.

And so the bill passed, title was approved, and Senate Bill No. 104 was ordered transmitted to the Senate

Unanimous consent of the House was given Bell for the introduction of two bills covering appropriations.

Introduction of House Bills, Concurrent Resolutions and Joint Memorials.

The following bills were introduced:

House Bill No 458, by Committee on Appropriations| An Act providing for the issuing, sale and redemption of State bonds and the expenditure of the proceeds thereof for the purpose of improving the Idaho State Penitentiary at Boise, Idaho.

House Bill No. 459, by Committee on Appropriations. An Act providing for the issuing, sale and redemption of State bonds and the expenditure of the proceeds thereof for the purpose of improving the Idaho Industrial Training School at St Anthony, Idaho

First Reading of House Bills, Concurrent Resolutions and Joint Memorials.

The following bills were read first time in full:

H. B. No. 458, by Committee on Appropriations.

H. B. No. 459, by Committee on Appropriations

Second Reading and Reference of House Bills, Concurrent Resolutions and Joint Memorials.

The following bills were read second time in full:

H. B. No. 452.

H. B. No. 453

H. B. No. 454.

H. B. No. 457.

House Bills Signed by the Speaker.

Speaker in the presence of the House signed H B No. 247.

Motions and Resolutions.

MOTION BY HILL.

Hill moved that all rules of the House interfering with the immediate passage of bills be suspended, that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho requiring all bills to be read on three several days be dispensed with, this being a

case of urgency, and that House Bill No. 32, as amended, be read the first and second times by title and the third time at length, section by section, and be put upon its final passage.

Seconded by Walker.

The question being on the suspension of the rules, roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Pincock.

Total number of votes, 58. Ayes, 57. Nays, 1. Absent, not voting, 1.

And so the rules were suspended.

HOUSE BILL NO. 32, BY HILL, was then read first and second times by title and a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Dunning, Featherstone, Friend, Galloway, Glennon, Hanmer, Hellekson, Hill, Holmberg, Hutton, Hyde, Jayne, Johnson, Johnston, Jones, Morgan, McCabe, Nelson, Oakes, Sorenson, Strode, Taylor, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Pincock.

Total number of votes, 38. Ayes, 37. Nays, 1. Absent, not voting, 21.

And so the bill passed, title was approved, and House Bill No. 32 was ordered transmitted to the Senate.

By unanimous consent House returned to the Eighth Order of Business.

Report of Select Committees.

Representative Glennon, member of the committee appointed under Senate Joint Resolution No. 5, to confer with officers of the Government at Washington, D. C., submitted the following report:

To the Legislature of the State of Idaho, Eleventh Session: Hon. Lewis H. Sweetser, President of the Senate; Hon. Charles D. Storey, Speaker of the House:

Your committee appointed under Senate Joint Resolution No. 5 to confer with officers of the Government at Washington, D. C., with respect to the adjustment of State land grants, respectfully report that we have conferred at Washington, D. C., with President Taft, Secretary of Agriculture Wilson, Secretary of the Interior Ballinger, Assistant Secretary of the Interior Pierce, Attorney-General Wickersham, Chief Forester Graves, and other officers of the Government and requested that the State of Idaho be allowed to proceed with the selection of public lands in satisfaction of its grants where the State applied for the survey and advanced the cost thereof prior to the inclusion of the lands within forest reservations, and that all further proceedings adverse to the State of Idaho be suspended until a final determination is made.

We clearly showed that by depriving the State of the right to complete these selections, the State would not be able to find other public

lands to fill its grants, to the great detriment of the State and its common schools, and that the construction placed upon the proclamations establishing forest reservations by the Attorney-General was erroneous and inequitable.

After hearing and considering the matter, the President expressed his belief that it was inequitable to deprive the State of the right to complete its selections of public lands, and that it was not the intention of the President in establishing forest reservations to deprive the State of any vested or equitable rights, and the President directed that all necessary steps be taken to enable the State to proceed with its selections of such public lands in fulfillment of grants heretofore made the State by Congress. The Chief Forester, who was present at the time, and Secretary Wilson afterwards acquiesced in these suggestions and directions of the President, and are now engaged in preparing the way for the State to complete its selections.

On February 17, 1911, Chief Assistant Secretary of the Interior Pierce, by direction of the Secretary, made an order in writing postponing until April 15, 1911, the promulgation and final determination of all cases involving the question of the right of the State to make these selections.

The attention of your Committee was called to the language used by the Supreme Court of Idaho in the decision of the case of *Balderson vs. Brady* (.....Idaho.....), which language could be construed as denying the power of the State to exchange Sections 16 and 36 belonging to the State, in forest reservations, for other public lands of equal area and value, and it was suggested that in order to have a complete and final adjustment of the question, a suit or other proceeding be commenced to test the validity of Senate Bill No. 47 of the Eleventh Session, involving the right of the State to make such exchanges.

The President, the Secretary of Agriculture, the Secretary of the Interior and the Chief Forester each expressed the view that it would be advantageous both to the State and Nation for the State to exchange its scattered holdings of Sections 16 and 36 throughout the forest reservations in the State for a compact body or bodies of other public lands within the forest reservations, and that if the State desired to make such an exchange, the exchange could be effected either by modification of the proclamations establishing forest reservations, or by an Act of Congress.

A bill has passed the House of Representatives and is now pending in the United States Senate authorizing states to exchange their lands in forest reservations for reasonably compact bodies of other public lands in forest reservations. While in Washington, we urged our Representatives in the United States Senate to secure the early passage of this bill which, in our opinion, would be to the great benefit of the State.

While we were present in Washington, another bill was passed through the United States Senate and is now pending in the House of Representatives providing for the elimination from forest reservations of lands included therein for which the State of Idaho has made prior application for survey. The relief sought by this bill in aid of the State will be accomplished by the order of the President heretofore mentioned.

On arriving in Washington, D. C., we first called on all of our Representatives in Congress and were enabled through the assistance of Mr. Addison T. Smith, Secretary to Senator Heyburn, to secure early, prompt and repeated conferences with the officers of the Government, and found everywhere prevailing among the officers of the general Government a spirit and disposition to deal fairly with the State in securing the grants of public lands in aid of our common schools and

public institutions, and are under obligations to our Representatives in Congress for many acts of assistance and kindness shown us while in Washington.

We recommend that in order to secure a complete adjustment of the State's rights and a speedy and final determination of the power of the State Board of Land Commissioners to exchange Sections 16 and 36 in place for other public lands of like area and value, that the opinion of the Supreme Court should be sought and procured at an early date.

Respectfully submitted,

A. G. KERNS,

Member of the Senate.

L. E. GLENNON,

Member of the House.

J. H. PETERSON,

Assistant Attorney General.

Moved by Glennon and seconded by Edgington that the report of the committee be adopted.

Motion carried.

Messages From the Governor.

Mr. Speaker and gentlemen of the House of Representatives:

Upon yesterday through inadvertence I signed House Bill No. 285, by Mr. Davis, "An Act prescribing a penalty for escapes from the State Penitentiary, and declaring an emergency."

The necessity of making an escape from the penitentiary a punishable crime is apparent to all who have considered the subject, and has especially impressed itself upon all the members of the Prison Board. The Act in question was intended to remedy defects in the existing law. I have serious doubts, however, with reference to its efficiency. Section 6311, Revised Codes, provides that a felony is a crime punishable with death or by imprisonment in the State Penitentiary. Imprisonment in the State Penitentiary not exceeding five (5) years, or by fine not exceeding Five Thousand Dollars (\$5,000), or by both such fine and imprisonment. If this bill had simply defined an escape as a felony there would have been no doubt but what Section 6312 applies, but Section 1 of the bill simply says:

"Every person confined in the State Penitentiary for a term less than for life, who escapes therefrom is punishable by imprisonment in the State Penitentiary for a term not less than one year, said second term of imprisonment to commence at the time he would otherwise have been discharged from the penitentiary."

The minimum of imprisonment then for this offense is for one year. The maximum penalty is not fixed at all by the Act, nor is any fine provided for. I doubt very much, therefore, whether Section 6312 of the Revised Codes will apply. This makes the Act very indefinite and uncertain and might result in its being declared invalid. The offense should have been simply declared as a felony, punishable as are other felonies, or a maximum term of imprisonment should have been imposed. It might be intended from the bill as it reads that the court would have power to punish an escape by imprisonment for five (5) years, ten (10) years or for life, but this is somewhat doubtful. The matter is of so much importance that I do not think we should take any chances of having the bill declared invalid by the courts, and as it has now, by reason of being signed, become a statute of the State, in order to cure the defect mentioned, I would ask that you immediately amend it by prescribing the maximum term of imprisonment, or by leaving out all reference to imprisonment and simply

making an escape a felony punishable under the statutes as they formerly existed.

Respectfully submitted,

JAMES H. HAWLEY,
Governor.

Boise, Idaho, February 28, 1911

Message From the Governor.

The following message was received from the Governor.
Mr. Speaker and Gentlemen of the House of Representatives

I have this day approved House Bill No. 71, by the Committee on Banks and Banking, being "An Act providing for the appointment of a State Bank Commissioner, prescribing his qualifications," etc

I made careful examination of the provisions of this Act, and, while in some respects it does not altogether coincide with my views, taken as a whole, I consider it one of the most important and necessary Acts passed during the present Session of the Legislature. There is one omission, however, that has been made, and to which I conceive it my duty to call your attention. Section 31 reads:

"Every corporation formed under this Act must within one month after filing articles of incorporation, adopt a code of by-laws for its government, not inconsistent with the laws of Congress of this State," etc.

It is evident that a clause has been interpolated in the part of Section 31 referred to, or the word "and" has been omitted after the word "Congress." While the courts, if ever called upon, which very likely they will be, to interpret this section of the law, would probably supply the omitted word, yet every Act of the Legislature should be complete of itself and in itself and an omission of this kind or the interpolation of a clause, if such is the case, makes the reading awkward, even if it does not render the meaning doubtful, and I consider it the duty of the executive in the consideration of a bill of this kind to call the attention of the Legislature to such omission or interpolation. If the matter is of sufficient importance in the judgment of your Honorable Body to require further attention, I would suggest an amendment to be at once proposed and passed under suspension of the rules perfecting this bill in this matter to which your attention has been called.

Respectfully submitted,

JAMES H. HAWLEY,
Governor.

Boise, Idaho, March 1, 1911.

Morgan moved that communication from the Governor on House Bill No. 71 be referred to the Committee on Banks and Banking.

Seconded by Hutton.

Motion carried.

Messages From the Governor.

Mr. Speaker and Members of the House of Representatives

I have this day approved House Bill No. 88, by Davis, An Act to amend Section 130 of the Revised Codes of Idaho; also I have this day approved House Bill No. 60, By Jones, an Act granting relief to Peat Parker and J. C. Pinger, and appropriating therefor the sum of two thousand dollars (\$2000); and declaring an emergency; also I have this day approved House Bill No. 395, by Edgington, an Act to amend Section 2412 of the Revised Codes of Idaho relating to the payment of water assessments.

Respectfully,

(Signed)

JAMES, H. HAWLEY,
Governor.

Message From the Senate.

Mr. Speaker:

I have the honor to inform you that the Senate has passed Senate Bill No. 10, as amended in the House—

Also, I have the honor to transmit herewith House Bills Nos. 275, 257, 196, 355, 436, 396, and 358 which have passed the Senate

Also House Joint Resolution No. 19 and House Concurrent Resolutions Nos. 13 and 14, which have passed the Senate.

CHARLES J. LISLE,

Assistant Secretary of Senate.

First Reading of Senate Bills, Concurrent Resolutions and Joint Memorials.

The following Senate Bills were read first time in full:

S. B. No. 54.

S. B. No. 123.

S. B. No. 111.

S. B. No. 99.

S. B. No. 167.

S. B. No. 152.

S. B. No. 100.

S. J. R. No. 10.

Second Reading and Reference of Senate Bills, Concurrent Resolutions and Joint Memorials.

The following Senate Bills were read second time in full:

S. B. No. 63.

S. B. No. 98.

S. B. No. 148.

S. B. No. 75.

S. B. No. 127.

S. B. No. 130.

S. B. No. 84.

S. B. No. 137.

S. B. No. 121.

S. B. No. 101.

S. B. No. 135.

S. B. No. 113.

Unanimous consent of the House was given Nihart to withdraw House Joint Resolution No. 27.

HOUSE BILL NO. 68, AMENDED BY THE SENATE, BY JOHNSTON, read a third time at length, section by section, for final action

The question being "Shall the bill pass?" roll was called with the following result:

AYES—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Johnson, Johnston, Jones, Kerby, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 53. Ayes, 53. Nays, none. Absent, not voting, 6.

And so the bill passed, title was approved, and House Bill No. 68 was ordered enrolled.

HOUSE BILL NO. 109, AS AMENDED BY THE SENATE, BY COMMITTEE ON PUBLIC HEALTH, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

AYES—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Ceaser, Edgington, Eimers, Farmin, Featherstone, Galloway, Gibson, Glennon, Hellekson, Hendricks, Holmberg, Hyde, Jayne, Jenson, Johnson, Johnston, Jones, Morgan, McCabe, Nelson, Nielsen, Nihart Oakes, Pincock, Smith, Sorenson, Strode, Taylor, Terrell, Thompson, Warnick, Wood, Mr. Speaker.

NAYS—Davis, Dunning, Eckles, Friend, Parker, Stephens, Walker, Wilson.

Total number of votes, 50. Ayes, 42. Nays, 8. Absent, not voting, 9.

And so the bill passed, title was approved, and House Bill No. 109 was ordered enrolled.

HOUSE BILL NO. 160, AS AMENDED BY THE SENATE, BY GALLOWAY, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result.

Ayes—Allred, Arthur, Black, Bradley, Ceaser, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Glennon, Hanmer, Hellekson, Hendricks, Jayne, Jenson, Johnson, Jones, McCabe, Nelson, Nielsen, Oakes, Parker, Pincock, Sorenson, Stephens, Taylor, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

NAYS—None.

Total number of votes, 36. Ayes, 36. Nays, none. Absent, not voting, 23.

And so the bill passed, title was approved, and House Bill No. 160 was ordered enrolled.

HOUSE BILL N. 74, AS AMENDED BY THE SENATE, BY GALLOWAY, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Black, Bradley, Ceaser, Dunning, Eckles, Edgington, Eimers, Featherstone, Friend, Galloway, Hellekson, Hendricks, Holmberg, Hutton, Jacobs, Johnson, Jones, Morgan, Nielsen, Oakes, Parker, Pincock, Sorenson, Stephens, Taylor, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

NAYS—None.

Total number of votes, 33. Ayes, 33. Nays, none. Absent, not voting, 26.

And so the bill passed, title was approved, and House Bill No. 74 was ordered enrolled.

HOUSE BILL NO. 72, AS AMENDED BY THE SENATE, BY GLENNON, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Black, Bower, Bradley, Ceaser, Dunning, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Hellekson, Hendricks, Holmberg, Hutton, Hyde, Jayne, Jenson, Johnson, Jones, Morgan, Oakes, Parker, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

NAYS—None.

Total number of votes, 38. Ayes, 38. Nays, none. Absent, not voting, 21.

And so the bill passed, title was approved and House Bill No. 72 was ordered enrolled.

HOUSE BILL NO. 161, AS AMENDED BY THE SENATE, BY COMMITTEE ON ROADS, BRIDGES AND FERRIES, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Berry, Black, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Morgan, McCabe, Nelson, Neilsen, Nihart, Oakes, Parker, Pincock, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 52. Ayes, 52. Nays, none. Absent, not voting, 7.

And so the bill passed, title was approved and House Bill No. 161 was ordered enrolled.

HOUSE BILL NO. 64, AS AMENDED BY THE SENATE, BY CAESAR, read a third time at length, section by section, for final action. was ordered enrolled.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldridge, Berry, Black, Bower, Bradley, Ceaser, Davis, Dunning, Edgington, Farmin, Featherstone, Friend, Galloway, Glennon, Hanmer, Hellekson, Hendricks, Hill, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Jones, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sorenson, Stephens, Strode, Thompson, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 42. Ayes, 42. Nays, none. Absent, not voting, 17.

And so the bill passed, title was approved and House Bill No. 64 was ordered enrolled.

HOUSE BILL NO. 123 (AS AMENDED BY SENATE), BY SMITH, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Berry, Black, Bower, Bradley, Burrell, Ceaser, Davis, Dunning, Edgington, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Johnson, Jones, McCabe, Nielsen, Nihart, Oakes, Parker, Pincock, Sorenson, Stephens, Taylor, Terrell, Thompson, Walker, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 42. Ayes, 42. Nays, none. Absent, not voting, 17.

And so the bill passed, title was approved, and House Bill No. 123 was ordered enrolled.

HOUSE BILL NO. 114, BY WALKER, AS AMENDED BY THE SENATE, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Berry, Bower, Bradford, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Feather-

stone, Friend, Glennon, Hanmer, Hellekson, Hendricks, Hill, Hyde, Jacobs, Jayne, Johnson, Jones, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Smith, Sorenson, Stephens, Strode, Taylor, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 43 Ayes, 43. Nays, none. Absent, not voting, 16.

And so the bill passed, title was approved, and House Bill No. 114 was ordered enrolled.

HOUSE BILL NO. 27, BY BLACK, AS AMENDED BY THE SENATE, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Bower, Bradley, Ceaser, Elmers, Farmin, Friend, Galloway, Glennon, Hanmer, Hellekson, Hyde, Jacobs, Jayne, Jenson, Johnson, Jones, Morgan, McCabe, Nielsen, Oakes, Parker, Sorenson, Stephens, Strode, Terrell, Thompson, Wilson, Wood, Mr. Speaker

Nays—None.

Total number of votes, 34 Ayes, 34. Nays, none. Absent, not voting, 25.

And so the bill passed, title was approved, and House Bill No. 27 was ordered enrolled.

HOUSE BILL NO. 159, BY NIHART (BY REQUEST) AS AMENDED BY THE SENATE, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result.

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradley, Ceaser, Davis, Dunning, Edgington, Elmers, Farmin, Friend, Galloway, Glennon, Hanmer, Hendricks, Hutton, Hyde, Jayne, Johnson, Jones, Leaf, Morgan, McCabe, Nielsen, Nihart, Oakes, Sorenson, Stephens, Taylor, Thompson, Wilson, Mr. Speaker.

Nays—None.

Total number of votes, 36. Ayes, 36. Nays, none. Absent, not voting, 23.

And so the bill passed, title was approved, and House Bill No. 159 was ordered enrolled.

Third Reading of House and Senate Bills, Concurrent Resolutions and Joint Memorials.

HOUSE BILL NO. 34, BY WILSON, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result.

Ayes—Arthur, Berry, Black, Bower, Bradford, Bradley, Ceaser, Dunning, Eckles, Edgington, Friend, Galloway, Hanmer, Hendricks, Hill, Hutton, Hyde, Jacobs, Johnson, Jones, Nihart, Oakes, Parker, Sorenson, Stephens, Taylor, Thompson, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Allred, Davis, Morgan, Nelson.

Total number of votes, 35. Ayes, 31. Nays, 4. Absent, not voting, 24.

And so the bill passed, title was approved, and House Bill No. 34 was ordered transmitted to the Senate

HOUSE BILL NO. 168, BY CEASER, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Arthur, Berry, Black, Bower, Bradford, Ceaser, Edgington, Friend, Glennon, Hanmer, Hellekson, Hendricks, Hill, Jayne, Jenson, Johnson, Johnston, Jones, Morgan, McCabe, Nelson, Pincock, Sorenson, Taylor, Terrell, Thompson, Warnick, Wilson, Mr. Speaker.

Nays—Allred, Baldrige, Bradley, Davis, Dunning, Eckles, Featherstone, Hutton, Hyde, Nielsen, Oakes, Parker, Sanborn, Stephens, Strode, Walker.

Total number of votes, 45. Ayes, 29. Nays, 16. Absent, not voting, 14.

And so the bill passed, title was approved, and House Bill No. 168 was ordered transmitted to the Senate.

HOUSE BILL NO. 77, BY BLACK (BY REQUEST) read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Baldrige, Berry, Black, Bower, Bradford, Bradley, Ceaser, Dunning, Edgington, Farmin, Featherstone, Friend, Glennon, Hanmer, Hellekson, Hendricks, Hill, Hutton, Hyde, Jayne, Johnson, Johnston, Jones, Morgan, McCabe, Nelson, Nihart, Oakes, Parker, Pincock, Smith, Sorenson, Strode, Taylor, Terrell, Thompson, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Sanborn, Walker.

Total number of votes, 44. Ayes, 42. Nays, 2. Absent, not voting, 15.

And so the bill passed, title was approved, and House Bill No. 77 was ordered transmitted to the Senate.

HOUSE BILL NO. 190, BY FRIEND, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Ceaser, Davis, Farmin, Friend, Galloway, Glennon, Jacobs, Jayne, Johnson, Jones, McCabe, Nelson, Nihart, Oakes, Sanborn, Smith, Strode, Taylor, Thompson, Warnick, Wilson, Wood.

Nays—Allred, Dunning, Eckles, Hellekson, Hendricks, Holmberg, Hutton, Hyde, Morgan, Nielsen, Parker, Pincock, Sorenson, Walker, Mr. Speaker.

Total number of votes, 45. Ayes, 30. Nays, 15. Absent, not voting, 14.

And so the bill passed, title was approved, and House Bill No. 190 was ordered transmitted to the Senate.

On motion of Walker House took a recess until 2 p. m.

Afternoon Session.

House met pursuant to adjournment, Mr. Speaker in the chair.

Roll call showed all members present except Leaf, who was excused on account of sickness.

Upon motion of McCabe, unanimous consent was given the Chief Clerk to insert the word "and" in House Bill No. 71, in the enrolled bill, the same being omitted from the engrossed copy through a mistake of the Enrolling Clerk.

Reports of Standing Committees.

The Committee on Public Buildings and Grounds submitted the following report:

Mr. Speaker:

We, your Committee on Public Buildings and Grounds beg leave to submit estimates by the State Treasurer and recommend that the

amount be allowed except Five Hundred Dollars for heating plant and that the report be referred to Appropriations Committee.

OAKES,
Chairman.

Estimates of Repairs to Capitol Building.

Painting, paperhanging, etc	\$1,000
Repairs to building	500
Repairs to boiler and heating plant	500
Hose and extras for lawn	200
Cement walk on Eighth street	200
Sewer connection	250
New vault in land office	850

\$3,500

Report adopted and communication reported to the Appropriation Committee.

The Committee on Printing submitted the following report:

Mr. Speaker:

Your Committee on Printing herewith report that we have had correctly printed House Bills Nos 452 and 453 and House Joint Resolution No. 30; also amendments to the following: House Bills Nos. 108, 147, 136, 240 and 294.

JONES,
Chairman.

Report received.

The Committee on State Affairs submitted the following report.

Mr. Speaker:

We, your Committee on State Affairs, having had under consideration Senate Bill No. 97, by Macbeth, beg leave to report that we recommend that the bill do pass, with the following correction: That Section 2 be numbered Section 1. As this is clearly a clerical error we recommend that this bill be placed on third reading.

JOHNSTON,
Chairman.

Report adopted, and Senate Bill No. 97 filed for third reading.

The Committee on Engrossed and Enrolled Bills submitted the following report:

Mr. Speaker:

We, your Committee on Engrossed and Enrolled Bills, report House Bills Nos 429, 349, 235, 373 and 32 correctly engrossed.

GLENNON,
Chairman.

Report received and House Bills Nos. 235, 373, 32, 429 and 349 filed for third reading.

The Committee on Irrigation, Reservoirs and Reclamation submitted the following report:

Mr. Speaker:

We, your committee on Irrigation, Reservoirs and Reclamation respectfully report that we have had under consideration House Bill No. 337 and recommend that it do pass

NIHART,
Chairman.

Report received and House Bill No. 337 referred to the Engrossing Committee and ordered engrossed.

Motions and Resolutions.

Morgan moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills

to be read on three several days, be dispensed with, this being a case of urgency, and that House Bill No. 457 be read the third time at length, section by section, and be put upon its final passage.

Seconded by Hutton.

The question being, "Shall the rules be suspended?" roll was called with the following result:

Ayes—Allred, Arthur, Bell, Berry, Black, Bower, Bradford, Bradley, Ceaser, Dunning, Eckles, Eimers, Farmin, Featherstone, Friend, Galloway, Glennon, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Thompson, Walker, Warnick, Wilson, Mr. Speaker.

Nays—None.

Total number of votes, 48. Ayes, 48. Nays, none. Absent and not voting, 11.

And so the rules were suspended.

HOUSE BILL NO. 457, SUBSTITUTE FOR HOUSE BILL NO. 398, BY JUDICIARY COMMITTEE, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Bell, Berry, Black, Bower, Bradford, Ceaser, Dunning, Eckles, Farmin, Featherstone, Friend, Galloway, Glennon, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jayne, Jenson, Johnson, Johnston, Jones, Morgan, McCabe, Nelson, Nielsen, Nihart, Parker, Pincock, Sanborn, Smith, Sorenson, Strode, Taylor, Thompson, Walker, Warnick, Wilson, Mr. Speaker.

Nays—Arthur, Bradley, Eimers, Jacobs, Oakes, Stephens.

Total number of votes, 48. Ayes, 42. Nays, 6. Absent, not voting, 11.

And so the bill passed, title was approved, and House Bill No. 457 was ordered transmitted to the Senate.

Messages From the Senate.

Mr. Speaker:

I have the honor to inform you that the Senate has passed Senate Bill No. 3 as amended by the House.

Also to return herewith House Bills Nos. 278, 344 and 345, which have been indefinitely postponed by the Senate.

Also to inform you that the Senate has passed Senate Bill No. 78 as amended by the House.

Also to transmit herewith House Bills Nos. 341, 108, 119, 277, 179, 75, 21, 445, House Joint Memorial No. 9, which have passed the Senate.

Also to transmit herewith Senate Bills Nos. 99, 111, 133, 54, 152, 167, 100, and Senate Joint Resolution No. 10, which have passed the Senate.

CHARLES J. LIGLE,
Assistant Secretary of Senate.

Motions and Resolutions.

Farmin moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all amendments to be read on three several days, be dispensed with, this being a case of urgency, and that Senate Amendments to House Bill No. 108 be read the first and second times and the bill as amended, the third time at length, section by section, and be put upon its final passage.

Seconded by Sanborn.

Morgan moved that a call of the House be made.

Seconded by Walker.

Motion carried.

Sanborn moved that further proceedings under the Call be dispensed with.

Seconded by Farmin.

Motion lost.

Black moved that the Call of the House be raised.

Seconded by Edgington.

Motion carried.

Upon the request of Morgan, further consideration of Farmin's motion was suspended until Leaf's arrival.

Third Reading of House and Senate Bills, Concurrent Resolutions and Final Action Thereon.

SENATE BILL NO. 92, BY JUDICIARY COMMITTEE, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldridge, Bell, Berry, Black, Bower, Bradford, Burrell, Ceaser, Crow, Davis, Dunning, Eimers, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hyde, Jacobs, Jayne, Jenson, Johnson, Jones, Morgan, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 49. Ayes, 49. Nays, 0. Absent, not voting, 10.

And so the bill passed, title was approved and Senate Bill No. 92 was ordered transmitted to the Senate.

HOUSE BILL NO. 342, BY COMMITTEE ON IRRIGATION, RESERVOIRS AND RECLAMATION, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Arthur, Baldridge, Bell, Berry, Black, Bower, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 53. Ayes, 53. Nays, 0. Absent, not voting, 6.

And so the bill passed, title was approved, and House Bill No. 342 was ordered transmitted to the Senate.

Motions and Resolutions.

Leaf having arrived, House reverted to consideration of Farmin's motion.

The question being, "Shall the rules be suspended?" roll was called with the following result:

Ayes—Allred, Arthur, Baldridge, Bell, Berry, Bower, Bradford, Bradley, Burrell, Ceaser, Davis, Edgington, Eimers, Farmin, Featherstone, Friend, Glennon, Hanmer, Jacobs, Johnson, Johnston, Jones, McCabe, Nielsen, Nihart, Oakes, Sanborn, Smith, Taylor, Warnick, Mr. Speaker.

Nays—Dunning, Galloway, Gibson, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jayne, Jenson, Kerby, Leaf, Morgan, Nelson, Parker, Pincock, Sorenson, Strode, Terrell, Thompson, Walker, Wilson, Wood.

Total number of votes, 56. Ayes, 32. Nays, 24. Absent, not voting, 3.

And so the motion to suspend the rules was lost.

Messages From the Governor.

March 1, 1911.

Mr. Speaker and members of the House of Representatives: I have this day approved House Bill No. 247, by Smith and Taylor, an Act appropriating the sum of Two Thousand Six Hundred Seventy-one Dollars and Sixteen Cents (2671.16) for the purchase of what is known as the Heyburn toll wagon bridge across the Snake River, situate between the town of Heyburn, in Lincoln County, and Burley, in Cassia County, Idaho, etc.

Also I have this day approved House Bill No. 104, by Jayne, an Act to provide for the drainage of wet lands, and for a right-of-way to drain surplus irrigation water.

Also I have this day approved House Bill No. 445, by Committee on Public Health, (substitute for H. B. No. 142). An Act providing for and constituting a Dairy, Food and Sanitary Fund; providing for the disposition of all fees and licenses collected by the State Dairy, Food and Sanitary Inspector and his deputies, etc.

JAMES H. HAWLEY,
Governor.

Third Reading of House and Senate Bills, Concurrent Resolutions, and Final Action Thereon.

SENATE BILL NO. 89, BY SHAWHAN, read a third time at length, section by section, for final action.

Galloway moved that the bill be indefinitely postponed.

Seconded by Kerby.

Motion lost.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Baldridge, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Davis, Edgington, Eimers, Farmin, Friend, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jenson, Johnson, Johnston, Jones, Morgan, Nielsen, Nihart, Oakes, Parker, Smith, Taylor, Thompson, Warnick, Wood, Mr. Speaker.

Nays—Allred, Arthur, Dunning, Featherstone, Galloway, Glennon, Jayne, Kerby, McCabe, Nelson, Pincock, Strode, Walker, Wilson.

Total number of votes, 50. Ayes, 35. Nays, 14. Absent, not voting, 9.

And so the bill passed, title was approved and Senate Bill No. 89 was ordered transmitted to the Senate.

HOUSE BILL NO. 415, BY COMMITTEE ON ROADS, BRIDGES AND FERRIES, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result

Ayes—Bradford, Ceaser, Dunning, Edgington, Featherstone, Friend, Galloway, Hellekson, Hutton, Jacobs, Jayne, Johnson, Johnston, Kerby, Leaf, Morgan, McCabe, Nelson, Nihart, Parker, Sorenson, Stephens, Strode, Taylor.

Nays—Allred, Arthur, Berry, Black, Bower, Burrell, Davis, Eimers, Glennon, Hanmer, Hill, Holmberg, Hyde, Jenson, Nielson, Pincock, Smith, Thompson, Walker, Warnick, Wilson, Mr. Speaker.

Total number of votes, 46. Ayes, 24. Nays, 22. Absent, not voting, 13.

And so the bill passed, title approved and House Bill No. 415 was ordered transmitted to the Senate.

SENATE BILL NO. 85, BY JUDICIARY COMMITTEE, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldridge, Berry, Black, Bower, Bradford, Bradley, Ceaser, Dunning, Edgington, Eimers, Featherstone, Friend, Glennon, Hanmer, Hellekson, Holmberg, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, McCabe, Nelson, Nielsen, Parker, Pincock, Smith, Sorenson, Thompson, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Stephens, Walker.

Total number of votes, 39. Ayes, 37. Nays, 2. Absent, not voting, 20.

And so the bill passed, title was approved, and Senate Bill No. 85 was ordered transmitted to the Senate.

HOUSE BILL NO. 442, BY COMMITTEE ON ROADS, BRIDGES AND FERRIES, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Arthur, Baldridge, Berry, Black, Bower, Bradford, Bradley, Ceaser, Davis, Dunning, Eckles, Edgington, Eimers, Featherstone, Friend, Galloway, Glennon, Hanmer, Hellekson, Hill, Holmberg, Hutton, Hyde, Jacobs, Jenson, Johnson, Johnston, Jones, Leaf, Morgan, Nelson, Nihart, Oakes, Pincock, Smith, Sorenson, Taylor, Terrell, Thompson, Walker, Warnick.

Nays—Allred, Nielsen, Parker, Stephens, Wilson, Wood.

Total number of votes, 47. Ayes, 41. Nays, 6. Absent, not voting, 12.

And so the bill passed, title was approved, and House Bill No. 442 was ordered transmitted to the Senate.

HOUSE BILL NO. 441, BY COMMITTEE ON ROADS, BRIDGES AND FERRIES, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Baldridge, Berry, Black, Bower, Bradford, Bradley, Ceaser, Davis, Dunning, Edgington, Farmin, Featherstone, Hanmer, Hellekson, Hill, Jacobs, Jayne, Johnson, Jones, Leaf, Morgan, Nelson, Pincock, Smith, Sorenson, Stephens.

Nays—Allred, Eimers, Friend, Hendricks, Holmberg, Hyde, Nielsen, Parker, Sanborn, Strode, Walker, Wilson, Wood.

Total number of votes, 39. Ayes, 26. Nays, 13. Absent, not voting, 20.

And so the bill passed, title was approved, and House Bill No. 441 was ordered transmitted to the Senate.

SENATE BILL NO. 125, BY WILLIAMS, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Arthur, Baldridge, Bell, Berry, Black, Bradford, Bradley, Ceaser, Davis, Dunning, Edgington, Eimers, Farmin, Featherstone, Friend, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Jones, Leaf, Morgan, Nel-

son Neilsen, Nihart, Oakes, Parker, Smith, Sorenson, Stephens, Strode, Thompson, Walker, Warnick, Wilson, Wood.

Nays—Allred, Sanborn.

Total number of votes, 46. Ayes, 44, Nays, 2. Absent, not voting, 13.

And so the bill passed, title was approved, and Senate Bill No. 125 was ordered transmitted to the Senate.

HOUSE BILL NO. 183, BY MORGAN, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Arthur, Baldrige, Bell, Berry, Black, Bradford, Bradley, Ceaser, Davis, Dunning, Eckles, Edgington, Eimers, Featherstone, Friend, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Johnson, Jones, Leaf, Morgan, Nelson Neilsen, Parker, Sanborn, Smith, Sorenson, Stephens, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 42. Ayes, 42. Nays, none. Absent, not voting, 17.

And so the bill passed, title was approved, and House Bill No. 183 was ordered transmitted to the Senate.

HOUSE BILL NO. 217, BY DAVIS, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Arthur, Baldrige, Bell, Berry, Black, Bradley, Ceaser, Davis, Dunning, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Glennon, Hanmer, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Johnson, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Sanborn, Sorenson, Stephens, Strode, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 41. Ayes, 41. Nays, none. Absent, not voting, 18.

And so the bill passed, title was approved, and House Bill No. 217 was ordered transmitted to the Senate.

SENATE BILL NO. 87, BY MINES AND MINING COMMITTEE, read a third time at length, section by section, for final passage.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Berry, Black, Bower, Bradford, Bradley, Ceaser, Featherstone, Friend, Glennon, Hanmer, Hendricks, Hill, Holmberg, Hyde, Jacobs, Jayne, Johnson, Jones, Kerby, Leaf, Morgan, Nelson, Nielsen, Nihart, Oakes, Pincock, Sanborn, Smith, Sorenson, Strode, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 40. Ayes, 40. Nays, none. Absent, not voting, 19.

And so the bill passed, title was approved, and Senate Bill No. 87 was ordered transmitted to the Senate.

HOUSE BILL NO. 429, BY FISH AND GAME COMMITTEE, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Ceaser, Davis, Dunning, Edgington, Farmin, Featherstone, Friend, Galloway, Glennon, Hanmer, Hellekson, Hendricks, Hill,

Holmberg, Hutton, Jayne, Johnson, Johnston, Jones, Morgan, McCabe, Nelson, Nielsen, Nihart, Pincock, Sanborn, Smith, Sorenson, Strode, Terrell, Thompson, Walker, Warnick, Wilson, Mr. Speaker.

Nays—Elmers, Hyde, Jacobs, Oakes, Parker, Wood.

Total number of votes, 50. Ayes, 44. Nays, 6. Absent, not voting, 9.

And so the bill passed, title was approved, and House Bill No. 429 was ordered transmitted to the Senate.

HOUSE BILL NO. 287, BY JOHNSON, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Arthur, Baldrige, Bell, Berry, Black, Bower, Bradley, Edgington, Elmers, Farmin, Featherstone, Friend, Galloway, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jenson, Johnson, Johnston, Jones, Morgan, Nelson, Nielsen, Nihart, Pincock, Sanborn, Sorenson, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood Mr. Speaker.

Nays—None.

Total number of votes, 39. Ayes, 39. Nays, none. Absent, not voting, 20.

And so the bill passed, title was approved, and House Bill No. 287 was ordered transmitted to the Senate

SENATE BILL NO. 145, BY ST. CLAIR, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Ceaser, Davis, Eckles, Edgington, Featherstone, Friend, Galloway, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Johnson, Jones, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 46. Ayes, 46. Nays, none. Absent, not voting, 13.

And so the bill passed, title was approved and Senate Bill No. 145 was ordered transmitted to the Senate.

SENATE BILL NO. 91, BY JUDICIARY COMMITTEE, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Ceaser, Davis, Edgington, Elmers, Farmin, Friend, Galloway, Glenon, Hanmer, Hellekson, Hill, Hyde, Jacobs, Jayne, Jones, Leaf, Morgan, McCabe, Nelson, Nihart, Oakes, Parker, Pincock, Sanborn Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 44. Ayes, 44. Nays, none. Absent, not voting, 15.

And so the bill passed, title was approved, and Senate Bill No. 91 was ordered transmitted to the Senate

HOUSE BILL NO. 129 BY BURRELL AND DUNNING, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result.

Ayes—Allred, Black, Bower, Bradford, Burrell, Ceaser, Davis, Dun-

ning, Eckles, Friend, Galloway, Gibson, Hanmer, Hellekson, Hendricks, Hill, Hutton, Hyde, Jayne, Johnson, Johnston, Jones, Morgan, Nelson, Nihart, Pincock, Sorenson, Stephens, Taylor, Terrell, Thompson, Walker, Wilson, Wood.

Nays—Arthur, Baldrige, Berry, Bradley, Featherstone, Glennon, Jacobs, McCabe, Nielsen, Smith, Mr. Speaker.

Total number of votes, 45. Ayes, 34. Nays, 11. Absent, not voting, 14.

And so the bill passed, title was approved, and House Bill No. 129 was ordered transmitted to the Senate.

HOUSE BILL NO. 233, BY BLACK, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Farmin, Featherstone, Friend, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Hyde, Jacobs, Jayne, Johnston, Jones, Kerby, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 49. Ayes, 49. Nays, none. Absent, not voting, 10.

And so the bill passed, title was approved, and House Bill No. 233 was ordered transmitted to the Senate.

HOUSE BILL NO. 83, BY JAYNE, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Baldrige, Berry, Black, Bower, Bradford, Bradley, Ceaser, Davis, Dunning, Elmers, Farmin, Featherstone, Friend, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Morgan, Nelson, Nihart, Oakes, Parker, Pincock, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Warnick, Wood, Mr. Speaker.

Nays—Bell, Kerby, McCabe, Nielsen, Wilson.

Total number of votes, 47. Ayes, 42. Nays, 5. Absent, not voting, 12.

And so the bill passed, title was approved, and House Bill No. 83 was ordered transmitted to the Senate.

SENATE BILL NO. 124, BY LEE, BY REQUEST, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Arthur, Baldrige, Bell, Berry, Black, Bower, Bradley, Crow, Davis, Dunning, Featherstone, Friend, Glennon, Hanmer, Hellekson, Hill, Holmberg, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Morgan, McCabe, Nelson, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Taylor, Terrell, Thompson, Walker, Wilson, Wood, Mr. Speaker.

Nays—Bradford.

Total number of votes, 44. Ayes, 43. Nays, 1. Absent, not voting, 15.

And so the bill passed, title was approved, and Senate Bill No. 124 was ordered transmitted to the Senate.

HOUSE BILL NO. 258 (SUBSTITUTE FOR H. B. NO. 79), BY JOHNSON, JAYNE, SANBORN, SORENSON, AND STEPHENS, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Baldridge, Berry, Black, Bower, Bradley, Eimers, Featherstone, Friend, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hyde, Jacobs, Jayne, Johnson, Johnston, Jones, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, anborn, Smith, Sorenson, Stephens, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Bradford, Ceaser, Farmin, Glennon.

Total number of votes, 43. Ayes, 39. Nays, 4. Absent, not voting, 16.

And so the bill passed, title was approved, and House Bill No 258 was ordered transmitted to the Senate

HOUSE BILL NO. 255, BY FEATHERSTONE, read a third time at length, section by section, for final action

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Arthur, Baldridge, Berry, Black, Bower, Bradford, Ceaser, Davis, Farmin, Featherstone, Friend, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hyde, Jacobs, Jayne, Johnston, Jones, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 42. Ayes, 42. Nays, none Absent, not voting, 17.

And so the bill passed, title was approved, and House Bill No. 255 was ordered transmitted to the Senate

HOUSE BILL NO 296, BY COMMITTEE ON BANKS AND BANKING, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result.

Ayes—Arthur, Berry, Black, Bower, Bradford, Bradley, Ceaser, Farmin, Featherstone, Glennon, Hellekson, Hendricks, Hill, Hyde, Jacobs, Jayne, Johnson, Johnston, Jones, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Thompson, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Kerby, Walker.

Total number of votes, 39. Ayes, 37. Nays, 2. Absent, not voting, 20.

And so the bill passed, title was approved, and House Bill No. 296 was ordered transmitted to the Senate

By unanimous consent the House returned to the Seventh Order of Business.

Reports of Standing Committees.

The Committee on Cities, Towns and Other Municipal Corporations submitted the following report:

Mr. Speaker:

We, your Committee on Cities, Towns and other Municipal Corporations, respectfully report that we have had under consideration House Bill No. 244, and recommend that it do pass.

BLACK,
Chairman.

Report adopted and House Bill No. 244 referred to Engrossing Committee, and ordered engrossed.

The Committee on Engrossed and Enrolled Bills submitted the following report:

Mr. Speaker:

We, your Committee on Engrossed and Enrolled Bills, report House Bill No. 233 correctly engrossed.

GLENNON,
Chairman.

Report received and House Bill No. 233 filed for third reading.

The Judiciary Committee submitted the following report:

Mr. Speaker:

Your Judiciary Committee having had under consideration the Message of the Governor relative to House Bill No. 285, by Davis, report that we have prepared a bill amending House Bill No. 285, in accordance with the recommendation of the Governor, and the said bill has been submitted to the Governor for his approval; the same is herewith returned to the House and unanimous consent is asked to introduce said bill.

FEATHERSTONE,
Chairman.

Introduction of House Bills, Concurrent Resolutions and Joint Memorials.

H. B. NO. 460, BY JUDICIARY COMMITTEE.

An Act to amend an Act entitled, "An Act prescribing a penalty for escapes from the State Penitentiary, and declaring an emergency, passed at the Eleventh Session of the Legislature of the State of Idaho, and approved February 27, 1911.

First Reading of House Bills, Concurrent Resolutions and Joint Memorials.

The following bills were read first time in full:

House Bill No. 460, by Judiciary Committee..

Moved by Hill and seconded by Walker that House adjourn to 7:30 p. m.

Motion carried.

House adjourned.

EVENING SESSION.

House met pursuant to adjournment. Mr. Speaker in the Chair.

Roll call showed all present excepting Leaf, who was excused.

Message From the Senate.

Mr. Speaker:

I have the honor to transmit herewith House Bills Nos. 156, 456 and 440, which have passed the Senate.

CHAS. J. LISLE,
Assistant Secretary of Senate.

First Reading of Senate Amendments to House Bills.

Senate amendments to House Bill No. 105 were read first time in full.

Third Reading of House and Senate Bills, Concurrent Resolutions and Memorials and Final Action Thereon.

HOUSE BILL NO. 447, BY SMITH, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Arthur, Berry, Black, Bower, Bradford, Bradley, Burrell,

Ceaser, Crow, Davis, Dunning, Edgington, Eimers, Farmin, Featherstone, Friend, Glennon, Hellekson, Hendricks, Hill, Holmberg, Hutton, Jacobs, Jayne, Johnson, Jones, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Smith, Sorenson, Stephens, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 45. Ayes, 45. Nays, none. Absent, not voting, 14.

And so the bill passed, title was approved, and House Bill No. 447 was ordered transmitted to the Senate.

HOUSE BILL NO. 313, BY BLACK AND EDGINGTON, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Arthur, Berry, Black, Bower, Bradford, Burrell, Ceaser, Davis, Dunning, Eimers, Farmin, Featherstone, Friend, Glennon, Hellekson, Hendricks, Hill, Jacobs, Jayne, Johnson, Jones, Leaf, Morgan, McCabe, Nelson, Nihart, Oakes, Parker, Pincock, Smith, Sorenson, Stephens, Taylor, Thompson, Walker, Warnick, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 38. Ayes, 38. Nays, none. Absent, not voting, 21.

And so the bill passed, title was approved, and House Bill No. 313 was ordered transmitted to the Senate.

HOUSE BILL NO. 357, BY JACOBS, NIHART, JONES, LEAF AND ECCLES, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Arthur, Baldrige, Berry, Black, Bower, Bradford, Bradley, Ceaser, Crow, Dunning, Eckles, Farmin, Featherstone, Galloway, Hammer, Hill, Jacobs, Jayne, Jones, McCabe, Nelson, Nihart, Oakes, Pincock, Sanborn, Smith, Warnick, Mr. Speaker.

Nays—Eimers, Friend, Gibson, Glennon, Hellekson, Hendricks, Johnson, Kerby, Morgan, Parker, Stephens, Strode, Thompson, Walker, Wood.

Total number of votes, 43. Ayes, 28. Nays, 15. Absent, not voting, 16.

And so the bill passed, title was approved, and House Bill No. 357 was ordered transmitted to the Senate.

House In Committee of the Whole.

House resolved itself into Committee of the Whole for the consideration of House Bill No. 288.

House In Regular Session.

The Committee of the Whole submitted the following report:
Mr. Speaker:

The Committee of the Whole has had under consideration House Bill No. 288 and recommends that it be amended as follows:

That Section 1 be amended by inserting in line 4, between the words "line" and "for," the following: "Or the members of the immediate family of such persons and except to shippers when in care of livestock in transit, ministers of the Gospel, officials and employes of the State Fish and Game Department and State Dairy, Food and Sanitary Inspector."

Also that Section 2 be amended by inserting in line 3, between the words "Idaho" and "to," the following: "Or the members of the immediate family of such persons, and except to shippers, when in care of livestock in transit, ministers of the Gospel, officials and em-

ployes of the State Fish and Game Department and State Dairy, Food and Sanitary Inspector."

And as thus amended, the bill do pass.

BLACK,
Chairman.

Black moved the adoption of the report of the Committee of the Whole.

Seconded by Bower.

Motion carried.

Black moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that amendments to House Bill No. 288 be read the first and second times and ordered printed.

Seconded by Bower.

The question being, "Shall the rules be suspended?" roll was called with the following result:

Ayes—Allred, Arthur, Baldridge, Bell, Berry, Black, Bower, Bradford, Bradley, Burrel, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jensen, Johnson, Johnston, Jones, Kerby, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 58. Ayes, 58. Nays, 0. Absent, not voting, 1.

And so the rules were suspended and amendments to House Bill No. 288 were read the first and second time and ordered printed.

HOUSE BILL NO. 320, BY STRODE, NIELSEN, JOHNSTON, NIHART, BRADLEY AND BERRY, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Baldridge, Bell, Berry, Black, Bower, Bradley, Eimers, Farmin, Galloway, Hellekson, Hendricks, Hill, Hyde, Jacobs, Jayne, Jones, Morgan, Nielsen, Oakes, Pincock, Stephens, Taylor, Terrell, Thompson, Walker, Warnick, Mr. Speaker.

Nays—Bradford, Ceaser, Crow, Davis, Dunning, Eckles, Friend, Gibson, Glennon, Hanmer, Holmberg, Hutton, Johnson, McCabe, Nelson, Parker, Sanborn, Smith, Sorenson, Strode.

Total number of votes, 47. Ayes, 27. Nays, 20. Absent, not voting, 12.

And so the bill passed, title was approved and House Bill No. 320 was ordered transmitted to the Senate.

HOUSE BILL NO. 12, BY SANBORN, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Berry, Black, Bower, Bradley, Ceaser, Crow, Dunning, Eckles, Farmin, Hanmer, Hill, Hyde, Jacobs, Jayne, Johnson, Jones, Morgan, McCabe, Nelson, Oakes, Parker, Pincock, Sanborn, Sorenson, Warnick.

Nays—Bell, Eimers, Friend, Hendricks, Stephens, Taylor, Thompson, Walker, Wood, Mr. Speaker.

Total number of votes, 36. Ayes, 26. Nays, 10. Absent, not voting, 23.

And so the bill passed, title was approved, and House Bill No. 12 was ordered transmitted to the Senate.

House in Committee of the Whole.

House resolved itself into Committee of the Whole for the consideration of Senate Bill No. 116, and House Bills Nos. 306 and 444

House in Regular Session.

The Committee of the Whole submitted the following report:

Mr. Speaker:

The Committee of the Whole having had under consideration Senate Bill No. 116, House Bills Nos. 306 and 444, makes the following recommendations:

That Senate Bill No. 116 be amended as follows:

In the House of Representatives.

AMENDMENTS TO SENATE BILL NO. 116.

1. That the words "qualifications and" be inserted in the title after the words "relating to."

2. That the figures "2375-a" be inserted in the title after the words "adding thereto sections."

3. That Section 1 be stricken out, and the following substituted:

Section 1. That Section 2375 of the Idaho Revised Codes be, and the same is hereby amended to read as follows:

Section 2375. Said Board shall then give notice of an election to be held in such proposed district for the purpose of determining whether or not the same shall be organized under the provisions of this title. Such notice shall describe the lands in said district with the certainty required in an ordinary deed and shall state the name of the proposed district as designated by the Board of County Commissioners, and shall state that a map showing the lands in said district is on file in the office of the Board of County Commissioners, which map, if not previously made as required herein, shall be made by the petitioners after the determination of said Commissioners of the question of what lands shall be included in the proposed district, and if previously made, land added to said district or deducted therefrom by the Board may be indicated thereon. Said notice shall be published for four (4) weeks prior to such election in a newspaper published within each of said counties, as aforesaid. Such notice shall require the electors to cast ballots which shall be printed and delivered to the judges of election as hereinafter provided, which ballots shall contain the words. "Irrigation District.....Yes." "Irrigation District.....No," or other words equivalent thereto, together with the matter required to be printed on said ballot, as hereinafter provided.

4. That a new section be added as Section 2, and the following sections be numbered to comply with this change, the section added reading as follows:

Section 2. That a section to be numbered Section 2375a be added to Chapter 1, Title 14, of the Idaho Revised Codes, by inserting the same between Section 2375 and 2376 of the said Idaho Revised Codes, to read as follows:

Section 2375a. Every person over the age of twenty-one (21) years, who shall be a citizen of the United States, and a resident of the State of Idaho, and who shall be, at the time of the election at which he offers to vote, the holder of land embraced in any district, or proposed district, and which is irrigated from works owned by said district, or which is to be irrigated from the works proposed to be purchased or built, shall be entitled to vote at any election held under the provisions of this title. And at all such elections held after such irrigation works are built and in operation, or when the irrigation

works to be purchased are being operated, every person having the qualifications hereinbefore prescribed shall have the right to cast one vote for each inch of water and a proportionate vote for each fraction of an inch of water which he is entitled to use from such irrigation works for the irrigation of lands held by him and embraced in said district, and, in the election of directors, he shall have the right to cast the full number of votes to which he is entitled for as many persons as there are directors to be elected at said election; the word "inch" of water, as herein used, means the equivalent of one-fiftieth of one cubic foot of water per second of time: Provided, That, when it is proposed in the petition to build new irrigation works, and until such works are in operation, all persons having the qualifications hereinbefore prescribed shall be entitled to vote at all elections held under the provisions of this title, one vote for each acre of land held by him and embraced in said district, and a proportionate vote for each fraction of an acre so held; Provided, further, that if any person shall be the owner of more than one-tenth of the land embraced in any district or shall have the right to the use of more than one-tenth of the water furnished by the irrigation works of a district, he shall not be entitled to vote such land or water owned in excess of such one-tenth: Provided, further, That in all elections held under the provisions of this title, ballots printed upon white paper shall be prepared and furnished to the judges of election in each precinct upon which shall be printed in black ink and so arranged as to be easily voted the question or questions to be submitted to the voters, with blank lines upon which the voter shall write the name or names of the person or persons for whom he desires to vote for directors, together with a blank line upon which to write the number of votes which each voter is entitled to vote. The ballot shall be substantially as follows: Size six (6) inches in width by eight (8) inches in length, and shall have printed therein the question or questions to be submitted, and the lines for names of directors and for votes in the following form:

"Irrigation District.....Yes."
 Irrigation District No."

For Directors.

.....

.....Votes.

In case no question is to be submitted at any election, then the ballot shall be in the above form, but shall contain only the words "For Directors" and blank spaces for the number of Directors to be elected at such election, and one blank space with the word "Votes" thereafter, arranged substantially in the form set out above. And, in addition to the matter given in the foregoing form, there may be printed on any ballot, for the instruction of the voter, such words as "Vote for the question by crossing out the word 'No';" "Vote against the question by crossing out the word 'Yes'"; "Write in one name for director"; "Write in three names for Directors", and the like. In all elections held for the purpose of organizing a district, these ballots shall be printed and furnished by the Clerk of the Board of County Commissioners upon the order of the said Board, and in all elections held after the organization of any district, the ballots shall be printed and furnished by the Secretary of the Irrigation District.

When any person shall apply to vote at any election, one of the judges of election shall deliver to the voter a ballot and shall, at the same time, write thereon, in the proper place, in figures, with ink, the number of votes which such person is entitled to vote, as shown by the registrar's list, and the voter shall immediately and without leaving the room where such election is being held, prepare the ballot by

crossing out either the word "Yes" or the word "No" as he may desire to vote upon any question or questions submitted, and also by writing on the lines prepared therefor on said ballot the name or names of the person, or persons for whom he desires to vote for directors, and shall then return his ballot to the judges of election, who shall deposit it in the ballot box.

5. That Section 2 be stricken out and the following substituted as Section 3:

Section 3. That Section 2376 of the Revised Codes of Idaho be and the same is hereby amended to read as follows:

Section 2376. Such election shall be conducted as nearly as practicable in accordance with the general laws of the State: Provided, That a substantial compliance with the form of the ballot herein required shall be sufficient and that the provisions of the election laws, as to the form and distribution of the ballots, shall not apply. At the time of making such order, said Board of County Commissioners shall establish as many election precincts, not exceeding three (3), as may be necessary, and define the boundaries thereof, which boundaries, when the district is divided into three (3) precincts, shall be the same as the division boundaries provided for in Section 2374 of the Idaho Revised Codes. After the district is organized, the Board of Directors of the district may change the boundaries of said voting precincts but shall not create more than three (3) precincts, and, in case of three (3) precincts, the boundaries of the precincts shall always be the same as the division boundaries. Said Board shall appoint a registrar for each precinct so established who shall take and subscribe the same oath and shall have the same power and shall perform the same duties, as nearly as may be, and receive the same compensation as registrars under the general election laws of the State. The registration lists, prepared and delivered to the judges of election by said registrar, shall contain the name, age and residence of the voter and shall show the number of inches of water he is entitled to use from the irrigation works owned and operated by said proposed district or from the irrigation works to be purchased by said proposed district, or in case the petition shows that the proposed district is to build new irrigation works, then the number of acres of land owned by the voter embraced in said proposed district. The oath to be administered by said registrar to each voter shall be as follows: "I do swear (or affirm) that I am a citizen of the United States, of the age of twenty-one (21) years, or will be the.....day of..... A. D. 19...(naming the date of such election); that I am a resident of the State of Idaho; that I am the holder of land within the boundaries of the irrigation district, which is irrigated from the irrigation works of said district, and I am entitled to and using inches of water for the irrigation thereof from the works of said district," or in case the irrigation works are not in operation, the following words, "I am the holder of land within the boundaries of the irrigation district in the amount of.....acres, which is to be irrigated from the works of said district." Said Board shall also appoint three (3) judges of election for each election precinct, who shall perform the same duties, as nearly as may be, as judges of election under the general laws of the State.

6. That Section 3 of the bill be stricken out and the following substituted as Section 4:

Section 4. That Section 2379 of the Revised Codes of Idaho be, and the same is, hereby amended to read as follows:

Section 2379. The secretary of the district shall give notice of all elections in said district subsequent to the organization thereof by posting the same in three (3) public places in each such precinct and

in the office of said board at least four (4) weeks before the day of such election, which notices shall state the time of said election, and the polling place in each precinct, and the officer to be elected or other question to be voted upon, as the case may be. At least ten (10) days before the holding of any such election, the Board of Directors shall appoint three (3) electors of each precinct judges of election therein, who shall constitute a board of election for such precinct. At any election held in any district subsequent to the organization thereof, no registration of the voters thereof shall be required, but, in lieu of such registration, the secretary of the district shall prepare a list containing the names, arranged in alphabetical order, of all the holders of land within the boundaries of the district, together with the number of acres and the number of inches of water used by each, arranged in separate columns opposite the name, and shall certify, under oath, that such list is correct, as shown by the books of the district. The secretary of the district shall, on the day of any election, as soon as the election board is organized in each precinct of the district, furnish or cause to be furnished to the judges of election thereof a copy of such list certified, as herein required. When any person shall apply to vote at such election, one of the judges of election shall deliver to the voter a ballot and shall, at the same time write thereon, in the proper place, in figures, with ink, the number of votes which such person is entitled to vote, as shown by said certified list furnished by the secretary of the district, and the voter shall immediately, and without leaving the room where such election is being held, prepare the ballot by crossing out either the word "Yes" or the word "No," as he may desire to vote upon any question or questions submitted, and also by writing on the lines prepared therefor on said ballot the name or names of the person or persons for whom he desires to vote for directors, and shall then return his ballot to the judges of election, who shall deposit it in the ballot box. If any person shall apply to vote at any such election whose name does not appear on said list furnished by the secretary of the district or if any person offering to vote is challenged by any person present as not possessing the qualifications required by this Act to entitle him to vote, he shall not be permitted to vote until he has taken and subscribed to the oath required of voters by Section 3 of this Act, when, if the judges are satisfied that he is entitled to vote, he shall be furnished a ballot and permitted to vote, as herein provided for: Provided, That whenever, in this Act, the term "holder of land" is used, it shall be understood as meaning the holder of title or evidence of title to lands.

7. That the emergency clause be stricken out.

That House Bill No. 306 be amended as follows:

In line 3 strike out the words "an acre" and insert "a cubic," also strike out the stars and insert the words "per second of time."

In line 4 after the word "State," insert the words "except that in the measurement of water for irrigation purposes an acre foot shall be the standard of measurement."

And that as so amended the bill do pass.

That House Bill No. 444 be amended as follows:

In the title strike out the words "contained in" and insert therefor the following "clearly a duplication of required work as indicated by."

In Section 1, line 1, after the word "that" insert "hereafter"

In line 2, after the word "the" and before the word "departments" insert the words "purely academic."

In line 4 strike out the words "contained in" and substitute the words "clearly a duplication of required work done in the high schools of the State in fulfillment of."

In line 6, after the word "Act," and before the word "be," change the word "may" to "shall."

In the last line of Section 2, change the word "requirement" to "required."

And that as so amended the bill do pass

BLACK,
Chairman.

Black moved that the report of the Committee of the Whole be adopted.

Seconded by Bower.

Motion carried.

Black moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, Requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that amendments to Senate Bill No. 116 be read the first and second times and ordered printed.

Seconded by Hanmer

The question being, "Shall the rules be suspended?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Elmers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 58. Ayes, 58. Nays, none. Absent, not voting, 1.

And so the rules were suspended and amendments to Senate Bill No. 116 were read the first and second times and ordered printed.

Black moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that amendments to House Bill No. 306 be read the first and second times and ordered printed.

Seconded by Hanmer.

The question being, "Shall the rules be suspended?" roll was called with the following result.

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Elmers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker

Nays—None.

Total number of votes, 58. Ayes, 58. Nays, 0. Absent, not voting, 1.

And so the rules were suspended and amendments to House Bill No. 306 were read the first and second times and ordered printed.

Black moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being

a case of urgency, and that amendments to House Bill No. 444 be read the first and second times and ordered printed.

Second by Hanmer.

The question being, "Shall the rules be suspended?" roll was called with the following result:

Ayes—Allred, Arthur, Baldridge, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr Speaker.

Nays—None.

Total number of votes, 58. Ayes, 58. Nays, 0. Absent, not voting, 1.

And so the rules were suspended and amendments to House Bill No. 444 were read the first and second times and ordered printed.

First Reading of House Bills, Concurrent Resolutions and Joint Memorials.

The following House Bill was read first time in full:

H. B. No. 460.

Black moved that House adjourn until 9 o'clock Thursday morning.

Second by Warnick.

Motion carried.

House adjourned.

CHARLES D. STOREY,
Speaker.

JAMES H. WALLIS,
Chief Clerk.

THURSDAY, SIXTIETH DAY, MARCH 2, 1911.

Morning Session.

Hall of House of Representatives,
Boise, Idaho, March 2, 1911.

House met pursuant to adjournment. Mr. Speaker in the Chair.

Prayer was offered by the Chaplain.

Roll call showed all members present.

Report of Enrolling Committee.

Mr. Speaker:

We, your Committee on Engrossed and Enrolled Bills, report House Bills Nos. 81, 196, 396 and 358 as correctly enrolled.

GLENNON,
Chairman.

Motions and Resolutions.

Bell moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that House Bill No. 458 be read the second time by title and third time at length, section by section, and be placed upon its final passage.

Seconded by Hanmer.

The question being on the suspension of the rules, roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 59. Ayes, 59. Nays, none. Absent, not voting, none.

And so the rules were suspended.

HOUSE BILL NO. 458, BY COMMITTEE ON APPROPRIATIONS, read second time by title and third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Ceaser, Dunning, Eckles, Eimers, Farmin, Featherstone, Friend, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Johnson, Jones, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Mr. Speaker.

Nays—None.

Total number of votes, 50. Ayes, 50. Nays, None. Absent, not voting, 9.

And so the bill passed, title was approved, and House Bill No. 458 ordered transmitted to the Senate.

Bell moved that all rules of the house interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho requiring all bills to be read on three several days be dispensed with, this being a case of urgency, and that House Bill No. 459 be read the second time by title and third time at length, section by section, and be put upon its final passage.

Seconded by Hanmer.

The question being on the suspension of the rules, roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 59. Ayes, 59. Nays, none. Absent, not voting, none.

And so the rules were suspended.

HOUSE BILL NO. 459, BY COMMITTEE ON APPROPRIATIONS, read a third time at length, section by section, for final action

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne,

Johnson, Jones, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Simth, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Warnick, Willson, Wood, Mr. Speaker.

Nays—Walker.

Total number of votes, 54. Ayes, 53. Nays, 1. Absent, not voting, 5.

And so the bill passed, title was approved, and House Bill No. 459 was ordered transmitted to the Senate.

Crow moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that amendments to Senate Bill No. 116 be read the first and second times, and Senate Bill No. 116 as thus amended be read the third time at length, section by section, and be put upon its final passage.

Seconded by Featherstone.

The question being on the suspension of the rules, roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Willson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 59. Ayes, 59. Nays, none. Absent, not voting, none.

And so the rules were suspended.

Amendments to Senate Bill No. 116, by Preston, were then read first and second times, and S. B. 116, as thus amended, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Ceaser, Crow, Davis, Dunning, Eimers, Farmin, Featherstone, Friend, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Hyde, Jenson, Johnson, Jones, Leaf, Nelson, Nielsen, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Thompson, Walker, Warnick, Willson, Wood, Mr. Speaker.

Nays—Jacobs, Kerby.

Total number of votes, 46. Ayes, 44. Nays, 2. Absent, not voting, 12.

And so the bill passed, title was approved, and Senate Bill No. 116 was ordered transmitted to the Senate.

Message From the Senate.

Mr. Speaker:

I have the honor to transmit herewith House Bills Nos. 362 and 331, which have passed the Senate.

Also Senate Bills Nos. 112, 114 and 168, which have passed the Senate.

Also Senate Joint Resolution No. 14, which has passed the Senate.

CHARLES J. LISLE,
Assistant Secretary of Senate.

Introduction of House Bills, Concurrent Resolutions and Joint Memorials.

Unanimous consent was given Black to introduce the following House Joint Memorial:

HOUSE JOINT MEMORIAL NO. 11. BY BLACK.

To the President of the United States of America:

Your memorialist, the Legislature of the State of Idaho, respectfully represents:

Whereas, The Coeur d'Alene Indian Reservation was opened to entry and settlement on May 2, 1910, to those citizens whose rights to select homesteads therein had been previously determined by drawing.

Whereas, Certain of these homesteaders made their selections on land bordering on the St. Joe river within said reservation, having taken up about sixty-five hundred acres.

Whereas, A temporary easement which had been granted by a former Secretary of the Interior, permitting the flooding of these lands along the St. Joe river has been revoked by the present Secretary of the Interior, but as yet no steps have been taken by the officials of the National Government to afford adequate relief to those homesteaders whose homes and health have been put in jeopardy on account of this temporary grant.

Whereas, The testimony taken at the hearing ordered by the Secretary of the Interior upon the matter of revoking this easement and now on file in his office, will show the conditions which now confront these homesteaders, but unless prompt and immediate relief is given they will not be able to do scarcely, if any, tilling of the soil this spring, and in some cases none at all, owing to the flooding of these lands, and also preventing them from making those improvements required under the homestead laws, and cannot maintain themselves or their families as a result of these conditions.

Now, Therefore, Your Memorialist earnestly urges that relief be granted to these homesteaders by virtue of the executive power vested in you as President of the United States of America, and your memorialist will ever pray.

Moved by Black that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho requiring all bills to be read on three several days be dispensed with, this being a case of urgency, and that House Joint Memorial No. 11, having been printed, be read the first and second times by title and the third time at length, section by section, and be put upon its final passage.

Seconded by Bower.

The question being on the suspension of the rules, roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Elmers, Farmin, Featherstone, Friend, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 56. Ayes, 56. Nays, none. Absent, not voting, 3.

And so the rules were suspended.

The question then being, "Shall House Joint Memorial No. 11 pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Elmers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jensen, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn,

Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 59. Ayes, 59. Nays, none. Absent, not voting, none.

And so the memorial passed, title was approved and House Joint Memorial No. 11 was ordered transmitted to the Senate.

Second Reading and Reference of House Bills, Concurrent Resolutions and Joint Memorials.

The following House Bill was read second time in full:
H. B. No. 460.

Reference of Bills.

The Speaker referred the following Bills to their respective committees:

S. B. No. 113, State Affairs.
S. B. No. 135, Judiciary.
S. B. No. 101, State Affairs.
S. B. No. 137, Judiciary.
S. B. No. 84, Privileges and Elections.
S. B. No. 127, Private Corporations.
S. B. No. 130, Mines and Mining.
S. B. No. 148, Judiciary.
S. B. No. 98, Appropriations.
S. B. No. 121, Cities, Towns and Other Municipal Corporations.
S. B. No. 75, Judiciary.
S. B. No. 63, Judiciary.
H. B. No. 451, Judiciary.
H. B. No. 452, Judiciary.
H. B. No. 453, Judiciary.
H. B. No. 454, State Affairs.

House and Senate Bills Signed By the Speaker.

Speaker in the presence of the House signed the following House and Senate Bills:

House Bills Nos. 81, 358, 396 and 196.

Senate Bills Nos. 80, 53, 136, 138, 157 and 90.

Second Reading of House Bills as Amended By the Senate.

The following House Bill, as amended by the Senate, was read second time in full:

House Bill No. 108, as amended by the Senate.

Second Reading and Reference of Senate Bills, Concurrent Resolutions and Joint Memorials.

The following Senate Bills were read second time in full:

S. B. No. 54.
S. B. No. 133.
S. B. No. 111.
S. B. No. 99.
S. B. No. 167.
S. B. No. 152.
S. B. No. 100.
S. J. R. No. 10.

Reference of Senate Bills.

The Speaker referred the following bills to their respective committees:

S. B. No. 54, State Affairs.
S. B. No. 133, State Affairs.
S. B. No. 99, Irrigation, Reservoirs and Reclamation.
S. B. No. 152, State Affairs.

S. B. No. 111, State Affairs.

S. B. No. 167, State Affairs.

S. B. No. 100, Private Corporations.

S. J. R. No. 10, Privileges and Elections.

Third Reading of House and Senate Bills, Concurrent Resolutions and

Joint Memorials and Final Action Thereon.

HOUSE BILL NO. 195, BY TAYLOR, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Berry, Black, Bower, Bradford, Bradley, Ceaser, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Jones, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker

Nays—None.

Total number of votes, 49. Ayes, 49. Nays, none. Absent, not voting, 10.

And so the bill passed, title was approved, and House Bill No. 195 was ordered transmitted to the Senate

HOUSE BILL NO. 437, BY HANMER, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldridge, Berry, Black, Bower, Bradford, Bradley, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Glennon, Hanmer, Hellekson, Hendricks, Hill, Hyde, Jacobs, Jayne, Jenson, Johnson, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Thompson, Walker, Warnick, Wilson, Mr. Speaker.

Nays—None.

Total number of votes, 50. Ayes, 50. Nays, none. Absent, not voting, 9.

And so the bill passed, title was approved, and House Bill No. 437 was ordered transmitted to the Senate.

HOUSE BILL NO. 434, BY STATE AFFAIRS COMMITTEE, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldridge, Berry, Black, Bower, Bradford, Bradley, Ceaser, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Thompson, Walker, Warnick, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 52. Ayes, 52. Nays, 0. Absent, not voting, 7.

And so the bill passed, title was approved, and House Bill No. 434 was ordered transmitted to the Senate.

HOUSE BILL NO. 86, SUBSTITUTE FOR H. B. NO. 11, BY SANBORN, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Bell, Berry, Black, Bower, Bradford, Dunning, Edgington, Eimers, Farmin, Friend, Galloway, Gibson, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hyde, Johnson, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Bradley.

Total number of votes, 46. Ayes, 45. Nays, 1. Absent, not voting, 13.

And so the bill passed, title was approved, and House Bill No. 86 was ordered transmitted to the Senate.

HOUSE JOINT RESOLUTION NO. 22, BY JUDICIARY COMMITTEE, read a third time at length, section by section, for final action.

The question being, "Shall the memorial pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldridge, Bell, Berry, Black, Bower, Bradford, Bradley, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jensen, Johnson, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 56. Ayes, 56. Nays, 0. Absent, not voting, 3.

And so the bill passed, title was approved, and House Joint Resolution No. 22 was ordered transmitted to the Senate.

HOUSE BILL NO. 379, BY HELLEKSON AND MORGAN, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Arthur, Baldridge, Bell, Berry, Black, Bower, Bradford, Bradley, Ceaser, Davis, Dunning, Edgington, Eimers, Farmin, Featherstone, Friend, Gibson, Hanmer, Hellekson, Hendricks, Hill, Hyde, Jacobs, Jensen, Jones, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 47. Ayes, 47. Nays, 0. Absent, not voting, 12.

And so the bill passed, title was approved, and House Bill No. 379 was ordered transmitted to the Senate.

HOUSE BILL NO. 438, SUBSTITUTE FOR H. B. NO. 192, BY JUDICIARY COMMITTEE, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Arthur, Baldridge, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Hanmer, Hellekson, Hendricks, Hutton, Hyde, Jayne, Jensen, Johnson, Jones, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 46. Ayes, 46. Nays, 0. Absent, not voting, 13.

And so the bill passed, title was approved, and House Bill No. 438 was ordered transmitted to the Senate.

HOUSE BILL NO. 405, BY CROW, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Arthur, Baldridge, Bell, Berry, Black, Bower, Bradford, Bradley, Ceaser, Davis, Dunning, Farmin, Featherstone, Friend, Glennon, Hanmer, Hendricks, Hill, Hyde, Jacobs, Jayne, Jenson, Johnson, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Mr. Speaker.

Nays—None.

Total number of votes, 46. Ayes, 46. Nays, 0. Absent, not voting, 13.

And so the bill passed, title was approved, and House Bill No. 405 was ordered transmitted to the Senate.

HOUSE BILL NO. 378, BY JAYNE, (BY REQUEST), read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" the roll was called with the following result:

Ayes—Arthur, Baldridge, Bell, Berry, Black, Bower, Bradford, Bradley, Ceaser, Crow, Davis, Eckles, Farmin, Featherstone, Friend, Gibson, Glennon, Hanmer, Hutton, Jacobs, Johnston, Pincock, Smith, Thompson, Walker, Warnick, Wilson.

Nays—Dunning, Eimers, Hellekson, Hendricks, Holmberg, Hyde, Jayne, Jenson, Jones, Leaf, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Sanborn, Sorenson, Stephens, Strode, Terrell, Wood, Mr. Speaker.

Total number of votes, 50. Ayes, 27. Nays, 23. Absent, not voting, 9.

And so the bill passed, title was approved, and House Bill No. 378 was ordered transmitted to the Senate.

Bradford moved that the House go into Committee of the Whole for the consideration of H. B. No. 300.

Seconded by Hanmer.

Motion lost.

Report of Engrossing Committee.

Mr. Speaker:

We, your Committee on Engrossed and Enrolled Bills, report House Bills Nos 244 and 289 correctly engrossed.

GLENNON,

Chairman.

Report received and House Bills Nos. 244 and 289 filed for third reading.

HOUSE BILL NO. 314, BY JOHNSON AND EIMERS (BY REQUEST), read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldridge, Bell, Berry, Black, Bower, Bradford, Bradley, Ceaser, Davis, Dunning, Eckles, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Mr. Speaker.

Nays—None.

Total number of votes, 52. Ayes, 52. Nays, none. Absent, not voting, 7.

And so the bill passed, title was approved, and House Bill No 314 was ordered transmitted to the Senate.

Senate Bills Signed by the Speaker.

The Speaker announced that he was about to sign, and in the presence of the House, signed the following bills: Senate Bills Nos 62, 70, 149, 78, 10, 3 and 104.

HOUSE BILL NO. 162, BY BOWER (BY REQUEST), read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Berry, Black, Bower, Bradley, Ceaser, Dunning, Edgington, Farmin, Featherstone, Friend, Glennon, Hanmer, Hellekson, Hendricks, Hyde, Jacobs, Johnson, Jones, Leaf, McCabe, Nelson, Nihart, Oakes, Parker, Taylor, Terrell, Thompson, Walker, Wilson, Wood, Mr. Speaker.

Nays—Arthur, Gibson, Jenson, Nielsen, Pincock, Strode.

Total number of votes, 38. Ayes, 32. Nays, 6. Absent, not voting, 21.

And so the bill passed, title was approved, and House Bill No. 162 was ordered transmitted to the Senate.

HOUSE BILL NO. 135, BY MORGAN, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" the roll was called with the following result:

Ayes—Edgington, Featherstone, Glennon, Hellekson, Johnston, Morgan, McCabe, Nihart, Pincock, Mr. Speaker.

Nays—Allred, Black, Bradford, Bradley, Dunning, Friend, Hanmer, Hendricks, Hutton, Hyde, Jacobs, Jayne, Jenson, Jones, Kerby, Leaf, Nielsen, Parker, Smith, Stephens, Strode, Terrell, Thompson, Walker, Wilson, Wood.

Total number of votes, 37. Ayes, 10. Nays, 27. Absent, not voting, 22.

And so the bill failed to pass the house.

HOUSE BILL NO. 430, BY HUTTON AND HOLMBERG, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldridge, Bell, Berry, Black, Bower, Bradford, Bradley, Edgington, Elmers, Farmin, Glennon, Hellekson, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Jones, Leaf, Morgan, McCabe, Nielsen, Nihart, Oakes, Parker, Smith, Sorenson, Stephens, Strode, Thompson, Walker, Wood, Mr. Speaker.

Nays—Friend, Gibson, Pincock, Wilson.

Total number of votes, 41. Ayes, 37. Nays, 4. Absent, not voting, 18.

And so the bill passed, title was approved, and House Bill No. 430 was ordered transmitted to the Senate.

HOUSE BILL NO. 249, BY JOHNSTON AND DAVIS, read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Bell, Berry, Black, Bower, Bradley, Davis, Dunning, Edgington, Elmers, Farmin, Friend, Gibson, Glennon, Hellekson, Hendricks, Holmberg, Hutton, Hyde, Jacobs, Jayne, Johnson, Johnston, Jones, Morgan, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wood.

Nays—Wilson.

Total number of votes, 44. Ayes, 43. Nays, 1. Absent, not voting, 15.

And so the bill passed, title was approved, and House Bill No. 249 was ordered transmitted to the Senate.

HOUSE BILL NO. 339, BY WILSON, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" the roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bradford, Bradley, Burrell, Ceaser, Davis, Dunning, Eckles, Edgington, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hammer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Jacobs, Jayne, Johnson, Johnston, Jones, Kerby, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 53. Ayes, 53. Nays, 0. Absent, not voting, 6.

And so the bill passed, title was approved and House Bill No. 339 was ordered transmitted to the Senate.

HOUSE BILL NO. 308 was ordered engrossed.

HOUSE BILL NO. 346, BY JOHNSTON (BY REQUEST), read a third time at length, section by section, for final action.

The question being "Shall the bill pass?" roll was called with the following result:

Ayes—Hutton, Johnson, Johnston, McCabe, Sorenson, Mr. Speaker.

Nays—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradley, Burrell, Ceaser, Dunning, Edgington, Eimers, Farmin, Friend, Gibson, Glennon, Hellekson, Hendricks, Hill, Hyde, Jacobs, Jayne, Jones, Kerby, Morgan, Nielsen, Oakes, Pincock, Stephens, Terrell, Thompson, Walker, Warnick, Wilson.

Total number of votes, 39. Ayes, 6. Nays, 33. Absent, not voting, 18.

And so the bill failed to pass the House.

HOUSE BILL NO. 354, BY TERRELL (BY REQUEST), read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Bell, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Dunning, Edgington, Eimers, Farmin, Friend, Glennon, Hendricks, Hill, Hutton, Hyde, Jayne, Johnson, Johnston, Jones, Morgan, Nielsen, Oakes, Pincock, Sorenson, Strode, Terrell, Thompson, Walker, Warnick, Wilson, Mr. Speaker.

Nays—Berry, Gibson, Hellekson, Jacobs, Kerby, Parker, Stephens.

Total number of votes, 41. Ayes, 34. Nays, 7. Absent, not voting, 18.

And so the bill passed, title was approved, and House Bill No. 354 was ordered transmitted to the Senate.

Farmin moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that House Bill No. 108 be read the third time at length, section by section, and be put upon its final passage.

Seconded by Black.

The question being on the suspension of the rules, roll was called with the following result:

Ayes—Allred, Arthur, Bell, Berry, Black, Bower, Bradford, Bradley,

Burrell, Ceaser, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hammer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jensen, Johnson, Johnston, Jones, Kerby, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Smith, Sorenson, Stephens, Strode, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 54. Ayes, 54. Nays, 0. Absent, not voting, 5.

And so the rules were suspended.

Farmin moved that a call of the House be made.

Seconded by Bower.

Carried.

Roll call showed Baldrige, Crow, Leaf, Sanborn and Taylor absent. The Sergeant-at-Arms was instructed to bring the absentees in.

Hill moved that further proceedings under the call be dispensed with.

Seconded by Black.

Motion carried.

HOUSE BILL NO. 108, BY FARMIN, AS AMENDED BY THE SENATE, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Davis, Edginton, Eimers, Farmin, Featherstone, Galloway, Glennon, Hammer, Jacobs, Johnston, Jones, McCabe, Nielsen, Nihart, Oakes, Smith, Warnick, Mr. Speaker.

Nays—Allred, Arthur, Dunning, Eckles, Friend, Gibson, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jayne, Jensen, Johnson, Kerby, Morgan, Nelson, Parker, Pincock, Sorenson, Stephens, Strode, Terrell, Thompson, Walker, Wilson, Wood.

Total number of votes, 54. Ayes, 26. Nays, 28. Absent, not voting, 5.

And so the bill failed to pass the House.

Upon motion of Glennon, House adjourned until 2 p. m.

Afternoon Session.

House met pursuant to adjournment. Mr. Speaker in the Chair. Roll call showed all members present.

Reports of Standing Committees.

The Committee on Printing submitted the following report:

Mr. Speaker:

Your Committee on Printing herewith report that we have had correctly printed and distributed the following:

House Bills Nos. 456, 457 and 460; amendments to House Bills Nos. 288, 306 and 444. House Joint Resolution No. 31.

JONES,
Chairman.

Mr. Speaker:

We, your Committee on Engrossed and Enrolled Bills, report House Bills Nos. 341, 119, 436, 74, 160, 75, 355, 440, House Concurrent Resolution No. 14, House Joint Resolution, No. 19, House Concurrent Resolution No. 13 correctly enrolled.

GLENNON,
Chairman.

Mr. Speaker:

We, your Committee on Privileges and Elections, respectfully report

that we have had under consideration Senate Bill No. 84 and recommend that it do pass.

BRADLEY,
Chairman.

Report received and Senate Bill No. 84 filed for third reading
Mr. Speaker:

We, your Committee on Judiciary, respectfully report that we have had under consideration House Bills Nos. 451, 452, 453 and recommend that they do pass.

FEATHERSTONE,
Chairman.

Report received and House Bills Nos. 451, 452, 453 referred to Engrossing Committee and ordered engrossed.

Mr. Speaker:

We, your Committee on Roads, Bridges and Ferries, respectfully report that we have had under consideration House Bill No. 352 and return same without recommendation.

JACOBS,
Chairman.

Report received.

Mr. Speaker:

Your Committee on Mines and Mining, having had under consideration Senate Bill No. 130, recommend that it do pass

FRIEND,
Chairman.

Report received and Senate Bill No. 130 filed for third reading.

Mr. Speaker:

We, your Committee on Engrossed and Enrolled Bills, beg leave to report House Bill No. 72 correctly enrolled.

GLENNON,
Chairman.

Report received.

Mr. Speaker:

We, your Committee on Judiciary, respectfully report that we have had under consideration Senate Bill No. 135 and recommend that it do pass

FEATHERSTONE,
Chairman.

Report received and Senate Bill No. 135 filed for third reading.

Mr. Speaker:

We, your Committee on Roads, Bridges and Ferries beg leave to report that we have had under consideration House Bill No. 234, and recommend that it do pass.

JACOBS,
Chairman.

Report received and House Bill No. 234 referred to Engrossing Committee and ordered engrossed

Mr. Speaker:

We, your Committee on Engrossed and Enrolled Bills, report House Bills Nos. 316 and 444 correctly engrossed

GLENNON,
Chairman.

Report received and House Bills Nos 316 and 444 filed for third reading.

House Bills and Resolutions Signed By the Speaker.

Speaker, in the presence of the House, signed the following House Bills and Resolutions:

H. B. Nos. 341, 119, 446, 74, 160, 75, 355 and 440.

H. C. R. Nos 13 and 14.

H. J. R. No. 19.

Messages From the Senate.

Mr. Speaker:

I have the honor to transmit herewith Senate Bills Nos. 123, 161 and 162, which have passed the Senate.

Also House Bills Nos. 359 and 360, which have been indefinitely postponed by the Senate.

Also Senate Concurrent Resolution No. 9, which has passed the Senate.

CHARLES J. LISLE,
Assistant Secretary of Senate.

S. C. R. NO. 9, BY PRESTON.

Be it resolved by the Senate, the House concurring, That we cease to consider bills after 4 o'clock p. m., March 3, 1911, and that we adjourn sine die at 12 o'clock noon, March 4, 1911.

Morgan moved that action on Senate Concurrent Resolution No. 9 be deferred until called up by some House member.

Seconded by Bell.

Motion carried.

Message From the Senate.

Mr. Speaker:

I have the honor to inform you that the Senate has not concurred in the House amendments to Senate Bill No. 50, and has appointed as a conference committee Senators Freehafer, Shawhan and Yates.

Also I have the honor to inform you that the Senate has not concurred in the House amendments to Senate Bill No. 108, and has appointed as a conference committee Senators Macbeth, Williams and St. Clair.

CHARLES J. LISLE,
Assistant Secretary of Senate.

Appointment of Conference Committee.

Speaker announced the appointment of Representatives Morgan, Baldrige and Featherstone as a conference committee to act with a like committee from the Senate on House amendments to Senate Bills Nos. 50 and 108.

Second Reading and Reference of House Bills, Concurrent Resolutions and Joint Memorials.

The following House Bills were read a second time in full:

H. B. No. 460, by Judiciary Committee.

First Reading of Printed Amendments to Senate Bills.

Printed House amendments to Senate Bill No. 51 were read first time in full.

Motions and Resolutions.

Moved by Glennon that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that Senate amendments to House Bill No. 51 be read the second time, and the bill as amended, the third time at length, section by section, and be put upon its final passage.

Seconded by Bower.

The question being on the suspension of the rules, roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Ja-

cobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 59. Ayes, 59. Nays, none. Absent, not voting, none.

And so the rules were suspended

And so the rules were suspended, and Senate amendments to House Bill No. 51 were then read second time in full.

HOUSE BILL NO. 51, BY GLENNON, AS AMENDED BY THE SENATE, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Arthur, Baldrige, Berry, Black, Bower, Bradford, Bradley, Ceaser, Crow, Dunning, Eckles, Edgington, Eimers, Featherstone, Friend, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hyde, Jacobs, Jenson, Johnston, Jones, Leaf, McCabe, Nelson, Nielsen, Nihart, Parker, Pincock, Smith, Sorenson, Strode, Taylor, Terrell, Thompson, Warnick, Wilson, Wood.

Nays—Kerby, Morgan, Oakes, Sanborn, Stephens, Walker.

Total number of votes, 49. Ayes, 43. Nays, 6. Absent, not voting, 10.

And so the bill passed, title was approved and House Bill No. 51 was ordered enrolled

HOUSE BILL NO. 373, BY CROW, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Arthur, Baldrige, Berry, Black, Bower, Bradford, Bradley, Ceaser, Crow, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Glennon, Hendricks, Hill, Hutton, Hyde, Jacobs, Jenson, Johnson, Jones, Leaf, McCabe, Nelson, Nihart, Parker, Pincock, Strode, Taylor, Thompson, Wilson, Mr. Speaker.

Nays—Hellekson, Holmberg, Kerby, Morgan, Sanborn, Smith, Walker, Warnick, Wood.

Total number of votes, 45. Ayes, 36. Nays, 9. Absent, not voting, 14.

And so the bill passed, title was approved, and House Bill No. 373 was ordered transmitted to the Senate.

HOUSE BILL NO. 251, BRADFORD, CROW, CEASER, STOREY AND WILSON, read a third time at length, section by section, for final action.

On motion by Crow, seconded by Dunning, H. B. No. 251 was referred to the Committee of the Whole

HOUSE BILL NO. 268, BY BLACK, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Bell, Berry, Black, Bower, Burrell, Crow, Dunning, Eimers, Farmin, Featherstone, Friend, Gibson, Hanmer, Jacobs, Jenson, Johnson, Johnston, Jones, Leaf, McCabe, Nelson, Nielsen, Nihart, Parker, Stephens, Taylor, Warnick, Wilson, Mr. Speaker.

Nays—Bradford, Bradley, Eckles, Edgington, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Kerby, Morgan, Pincock, Sanborn, Smith, Sorenson, Strode, Thompson, Walker, Wood.

Total number of votes, 51. Ayes, 31. Nays, 20. Absent, not voting, 8.

And so the bill passed, title was approved, and House Bill No. 268 was ordered transmitted to the Senate.

HOUSE BILL NO. 237, BY COMMITTEE ON PUBLIC HEALTH, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Berry, Black, Bower, Burrell, Davis, Dunning, Eckles, Friend, Gibson, Hammer, Hendricks, Hill, Hyde, Jacobs, Johnston, Leaf, Morgan, Nelson, Nielsen, Nihart, Oakes Pincock, Smith, Sorenson, Taylor, Thompson, Walker, Warnick, Wilson, Mr. Speaker.

Nays—Bradford, Bradley, Crow, Edgington, Eimers, Featherstone, Glennon, Hellekson, Holmberg, Hutton, Johnson, Jones, McCabe, Parker, Sanborn, Stephens, Strode, Terrell, Wood.

Total number of votes, 52. Ayes, 33. Nays, 19. Absent, not voting, 7.

And so the bill passed, title was approved, and House Bill No. 237 was ordered transmitted to the Senate.

HOUSE BILL NO. 222, BY STRODE AND BLACK, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Arthur, Baldrige, Berry, Black, Bower, Bradley, Dunning, Eckles, Eimers, Friend, Glennon, Hellekson, Hendricks, Hill, Hyde, Jacobs, Johnson, Jones, Kerby, Nihart, Oakes, Pincock, Sanborn, Sorenson, Stephens, Strode, Taylor, Thompson, Walker, Wilson, Wood, Mr. Speaker.

Nays—Allred, Davis, Edgington, Farmin, Featherstone, Holmberg, Jenson, Leaf, McCabe, Nelson, Nielsen, Parker, Smith, Warnick.

Total number of votes, 46. Ayes, 32. Nays, 14. Absent, not voting, 13.

And so the bill passed, title was approved, and House Bill No. 222 was ordered transmitted to the Senate.

HOUSE BILL NO. 61, BY McCABE, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Dunning, Eckles, Eimers, Friend, Galloway, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jenson, Johnson, Johnston, Leaf, Morgan, McCabe, Nelson, Nihart, Oakes, Parker, Pincock, Smith, Sorenson, Stephens, Taylor, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Farmin, Gibson, Jones, Sanborn, Strode.

Total number of votes, 44. Ayes, 39. Nays, 5. Absent, not voting, 15.

And so the bill passed, title was approved, and House Bill No. 61 was ordered transmitted to the Senate.

HOUSE BILL NO. 329, BY JOHNSTON, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Gibson, Glennon, Hammer, Hellekson, Hendricks, Hill, Holmberg, Hyde, Jacobs, Jayne, Johnson, Johnston, Jones, Kerby, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Mr. Speaker.

Nays—Friend, Sanborn, Wood.

Total number of votes, 50. Ayes, 47. Nays, 3. Absent, not voting, 9.

And so the bill passed, title was approved, and House Bill No. 329 was ordered transmitted to the Senate.

Moved by Strode and seconded by Hill that Senate Bill No. 30 be placed on third reading at this time,

Motion carried.

SENATE BILL NO. 30, BY WHITCOMB, read a third time at length, section by section, for final action.

Moved by Johnston and seconded by Gibson that Senate Bill No. 30 be referred to the Committee of the Whole

Roll call was demanded on the motion by Johnston to recommit to the Committee of the Whole, and roll was called with the following result:

Ayes, 28. Nays, 23. Absent, not voting, 8.

And so the motion prevailed.

Morgan, representing the minority, questioned the correctness of the roll call.

After some discussion, Davis moved to reconsider the vote by which Senate Bill No. 30 was recommitted to the Committee of the Whole.

Seconded by Nihart

Motion carried.

The question being, "Shall Senate Bill No. 30 be recommitted to the Committee of the Whole?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bower, Crow, Davis, Farmin, Featherstone, Friend, Gibson, Hanmer, Hyde, Jenson, Johnston, Nelson, Nielsen, Nihart, Pincock, Smith, Taylor, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Berry, Bradford, Bradley, Ceaser, Dunning, Eckles, Edgington, Eimers, Galloway, Glennon, Hellekson, Hendricks, Hill, Holmberg, Hutton, Jacobs, Jayne, Jones, Kerby, Leaf, Morgan, McCabe, Oakes, Parker, Sanborn, Sorenson, Stephens, Strode.

Total number of votes, 54. Ayes, 26. Nays, 28. Absent, not voting, 5.

And so the motion was lost.

Upon a comparison of the roll calls, the Chief Clerk was found to be correct.

Davis moved that a vote of apology from the House should be tendered the Chief Clerk.

Strode seconded the motion.

Motion carried.

On behalf of himself and the minority, Morgan made a complete apology.

The question being, "Shall Senate Bill No. 30 pass?" roll was called with the following result:

Ayes—Berry, Bradford, Bradley, Ceaser, Crow, Dunning, Eckles, Edgington, Eimers, Galloway, Glennon, Hanmer, Hellekson, Holmberg, Hutton, Jacobs, Jayne, Jones, Kerby, Leaf, Morgan, McCabe, Nihart, Oakes, Parker, Sanborn, Sorenson, Stephens, Strode, Terrell, Wood.

Nays—Allred, Arthur, Baldrige, Bower, Davis, Farmin, Featherstone, Friend, Gibson, Hendricks, Hill, Hyde, Jenson, Johnston, Nelson, Nielsen, Pincock, Smith, Taylor, Thompson, Walker, Warnick, Wilson, Mr. Speaker.

Total number of votes, 55. Ayes, 31. Nays, 24. Absent, not voting, 4.

And so the bill passed, title was approved and Senate Bill No. 30 was ordered transmitted to the senate.

Morgan, on Conference Committee to confer with the Senate Com-

mitte on House amendments to Senate Bill No. 108, reported that the Senate had receded from its position and would concur in the amendments.

Message From the Senate.

Mr. Speaker:

I have the honor to transmit herewith House Bills Nos. 224, 280 and 264, which have failed to pass the Senate.

Also House Bills Nos. 118, 191, 231, 342, as amended by the Senate, and which have passed the Senate.

Also House Bills Nos. 429, 190, 240, 172, 177, 336, 187, 185, 333, 150, 245, 197, 188, 223, 303, 304, 325, 324, 326, 330, 351, 413, which have passed the Senate.

CHARLES J LISLE,

Assistant Secretary of Senate.

House Bills Signed by Speaker.

Speaker announced that he was about to sign and, in the presence of the House, signed House Bill No. 72.

Third Reading of House and Senate Bills, Concurrent Resolutions and

Joint Memorials and Final Action Thereon.

HOUSE BILL NO. 337, BY BALDRIDGE, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Arthur, Baldrige, Berry, Black, Bradley, Crow, Dunning, Eckles, Eimers, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Smith, Sorenson, Stephens, Terrell, Thompson, Warnick, Wilson, Wood.

Nays—Allred, Bradford, Ceaser, Featherstone, Mr. Speaker.

Total number of votes, 47. Ayes, 42. Nays, 5. Absent, not voting, 12.

And so the bill passed, title was approved and House Bill No. 337 was ordered transmitted to the Senate.

House In Committee of the Whole.

Hutton moved, seconded by Hellekson, to go into Committee of the Whole for the consideration of H. B. No. 292.

Motion carried.

House in Regular Session.

The Committee of the Whole submitted the following report:

Mr. Speaker:

The Committee of the Whole has had under consideration H. B. No. 292, and recommends that it be amended by striking out from the end of the bill the following: "And provided further, that the provisions of this law shall not apply to farm wagons and implements and farm machinery."

BLACK,

Chairman.

Black moved that the report of the Committee of the Whole be adopted.

Seconded by Terrell.

Motion carried.

Terrell moved that all rules of the House interfering with the immediate passage of bills be suspended, and that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being

a case of urgency, and that House Bill No. 292 as amended be read the first and second time by title and the third time at length, section by section, and put upon its final passage.

Seconded by Hutton.

The question being on the suspension of the rules, roll was called with the following result:

Ayes—Allred, Baldridge, Bell, Berry, Black, Bradford, Bradley, Ceaser, Dunning, Eimers, Gibson, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Kerby, Leaf, Morgan, McCabe Nelson, Nielson, Oakes, Parker, Pincock, Sorenson, Stephens, Strode, Terrell, Thompson, Walker, Wilson, Wood, Mr. Speaker.

Nays—Davis, Featherstone, Friend, Johnston, Warnick.

Total number of votes, 43. Ayes, 33. Nays, 5. Absent, not voting, 16.

And so the rules were suspended.

HOUSE BILL NO. 292, BY TERRELL, AS AMENDED, was read first and second time by title, and third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Baldridge, Berry, Black, Bradley, Ceaser, Davis, Eckles, Farmin, Featherstone, Gibson, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Leaf, McCabe, Nelson, Nielsen Nihart, Oakes, Parker, Pincock, Sorenson, Stephens, Strode, Terrell, Thompson, Walker, Warnick, Wood, Mr. Speaker.

Nays—Allred, Bower, Friend, Johnston, Wilson.

Total number of votes, 42. Ayes, 37. Nays, 5. Absent, not voting, 17.

And so the bill passed, title was approved, and House Bill No. 292 was ordered transmitted to the Senate.

HOUSE BILL NO. 316, BY HILL, GALLOWAY AND PINCOCK, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Arthur, Berry, Black, Bower, Bradley, Davis, Eimers, Featherstone, Friend, Galloway, Gibson, Glennon, Hellekson, Hendricks, Hill, Holmberg, Hyde, Jacobs, Jayne, Johnston, Jones, Morgan, Nelson, Oakes, Parker, Pincock, Strode, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 33. Ayes, 33. Nays, 0. Absent, not voting, 26.

And so the bill passed, title was approved, and House Bill No. 316 was ordered transmitted to the Senate.

HOUSE BILL NO. 349, BY BRADLEY, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Arthur, Baldridge, Berry, Black, Bower, Bradley, Dunning, Eckles, Featherstone, Friend, Gibson, Glennon, Hanmer, Hellekson, Hill, Holmberg, Hyde, Jacobs, Jayne, Jenson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nihart, Oakes, Parker, Pincock, Sanborn, Sorenson, Stephens, Strode, Thompson, Walker, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 40. Ayes, 40. Nays, 0. Absent, not voting, 19.

And so the bill passed, title was approved and House Bill No. 349 was ordered transmitted to the Senate.

SENATE BILL NO. 135, BY POTTS, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Arthur, Baldrige, Berry, Black, Bower, Bradford, Bradley, Davis, Dunning, Eckles, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Hanmer, Hendricks, Hill, Hutton, Hyde, Jacobs, Jayne, Johnston, Jones, Leaf, Nelson, Oakes, Parker, Pincock, Sorenson, Strode, Taylor, Thompson, Walker, Wilson, Wood, Mr. Speaker.

Nays—Morgan, Warnick.

Total number of votes, 40. Ayes, 38. Nays, 2. Absent, not voting, 19.

And so the bill passed, title was approved, and Senate Bill No. 135 was ordered transmitted to the Senate.

Hendricks moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that Senate Amendment to H. B. No. 118 be read the first and second times, and the bill as amended by the Senate be read the third time at length, section by section, and be put upon its final passage.

Seconded by Berry.

The question being on the suspension of the rules, roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jensen, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 59. Ayes, 59. Nays, 0. Absent, not voting, 0.

And so the rules were suspended, and Senate Amendments to H. B. No. 118 were read the first and second time.

HOUSE BILL NO. 118, BY HENDRICKS, AS AMENDED BY THE SENATE, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Arthur, Baldrige, Berry, Black, Bower, Bradford, Bradley, Ceaser, Davis, Dunning, Eimers, Farmin, Friend, Galloway, Gibson, Hanmer, Hendricks, Hill, Hyde, Jacobs, Jayne, Johnson, Johnston, Jones, Leaf, Nelson, Oakes, Parker, Pincock, Sorenson, Stephens, Strode, Taylor, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 30. Ayes, 30. Nays, 0. Absent, not voting, 20.

And so the bill passed, title was approved, and House Bill No. 118 was ordered enrolled.

HOUSE BILL NO. 286 (SUBSTITUTE FOR HOUSE BILL NO. 221), BY JAYNE, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Arthur, Baldrige, Berry, Black, Bower, Bradford, Burrell, Davis, Dunning, Eckles, Eimers, Farmin, Friend, Hanmer, Hellekson, Hendricks, Hill, Hyde, Jayne, Johnson, Johnston, Jones, Leaf, Nelson, Nihart, Oakes, Parker, Pincock, Stephens, Strode, Taylor, Thompson, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Morgan, Walker.

Total number of votes, 38. Ayes, 36 Nays, 2. Absent, not voting, 21.

And so the bill passed, title was approved, and House Bill No. 286 was ordered transmitted to the Senate.

Black moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that Senate Bill No. 112 be read the second time by title and the third time at length, section by section, and be put upon its final passage.

Seconded by Davis.

The question being on the suspension of the rules, roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 59. Ayes, 59. Nays, 0. Absent, not voting, 0.

And so the rules were suspended and Senate Bill No. 112 was read a second time.

SENATE BILL NO. 112, BY POTTS, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Black, Davis, Eckles, Eimers, Hellekson, Hutton, Jacobs, Jayne, Johnson, Johnston, Kerby, Leaf, Morgan, Nelson, Oakes, Sanborn, Sorenson, Strode, Thompson, Walker, Wood, Mr. Speaker.

Nays—Arthur, Baldrige, Berry, Bradley, Burrell, Ceaser, Dunning, Friend, Gibson, Hanmer, Hendricks, Hill, Hyde, Jenson, Nihart, Parker, Pincock, Taylor, Wilson.

Total number of votes, 41. Ayes, 22. Nays, 19. Absent, not voting, 18.

And so the bill passed, title was approved and Senate Bill No. 112 was ordered transmitted to the Senate.

Davis gave notice of intention to move to reconsider the vote on Senate Bill No. 112 at evening session.

SENATE BILL NO. 84, BY HAIGHT, read a third time at length, section by section, for final action.

Committee of the Whole.

On motion of Johnston the House resolved itself into Committee of the Whole for consideration of Senate Bill No. 84. Black in the Chair.

House in Regular Session.

The Committee of the Whole submitted the following report.

Mr. Speaker:

The Committee of the Whole has had under consideration S. B. No. 84, and has amended same by striking out the emergency clause.

BLACK,

Chairman.

Black moved the adoption of the report of the Committee of the Whole.

Hill moved that the House take a recess until 7:30.

Motion lost.

Morgan moved a call of the House.

Seconded by Eckles.

Roll call showed all members present except Allred, Baldrige, Bower, Crow, Edgington, Farmin, Galloway, Holmberg, Hutton, Jones, Nielsen, Smith, Terrell.

Sergeant-at-Arms was ordered to bring the absent members in.

Eimers moved that further proceedings under the call be dispensed with.

Seconded by Pincock.

Motion prevailed and call raised.

Davis moved that further consideration of S. B. No. 84 be indefinitely postponed.

Seconded by Hutton.

Roll call was demanded on the motion to postpone, with the following result:

Ayes—Black, Davis, Dunning, Eckles, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hutton, Jenson, Johnson, Kerby, Leaf, McCabe, Nelson, Parker, Sanborn, Sorenson, Stephens, Strode, Walker, Wilson, Wood.

Nays—Arthur, Baldrige, Berry, Bradford, Bradley, Burrell, Ceaser, Hellekson, Hendricks, Hill, Hyde, Jacobs, Jayne, Johnston, Morgan, Nihart, Oakes, Pincock, Taylor, Thompson, Warnick, Mr. Speaker.

Total number of votes, 47. Ayes, 25. Nays, 22. Absent, not voting, 12.

And so the motion prevailed, and further consideration of S. B. No. 84 was indefinitely postponed.

Davis moved that the House reconsider the vote to indefinitely postpone S. B. No. 84.

Seconded by Johnston.

Black moved that the motion to reconsider vote to indefinitely postpone be laid on the table.

Seconded by McCabe.

Davis moved that sifting committee, consisting of three members of the House, be appointed by the Speaker, to look into the merits of the bills not yet acted upon by the House, and report back to the House the measures that in their judgment should be enacted into laws.

Seconded by Morgan.

Motion carried and Speaker appointed as this committee Wood, Johnston and Hellekson.

On motion by Morgan House adjourned until 9 a. m. Friday.

CHARLES D. STOREY,

JAMES H. WALLIS,

Chief Clerk.

Speaker.

FRIDAY, SIXTY-FIRST DAY, MARCH 3, 1911.

Morning Session.

Hall of the House of Representatives,
Boise, Idaho, March 3, 1911.

House met pursuant to adjournment. Mr. Speaker in the Chair.

Prayer was offered by the Chaplain.

Roll call showed all members present.

Journals for the fifty-ninth and sixtieth days were read.

The Committee on Journal submitted the following report:

Mr. Speaker:

We, your Committee on Journal, beg to report that we have had under consideration the Journals for the fifty-ninth and sixtieth days, and have corrected the same, and move that the Journals for the above days be approved.

WARNICK,
Chairman.

Report adopted and Journals for the fifty-ninth and Sixtieth days approved.

Reports of Standing Committees.

Mr. Speaker:

We, your Committee on Engrossed and Enrolled Bills, report House Bill No. 234 correctly engrossed.

GLENNON,
Chairman.

Mr. Speaker:

We, your Committee on Judiciary, respectfully report that we have had under consideration Senate Bill No. 75 and recommend that it do pass.

FEATHERSTONE,
Chairman.

Mr. Speaker:

We, your Sifting Committee, ask that this bill do pass.

JOHNSTON,
Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Judiciary, respectfully report that we have had under consideration Senate Bill No. 71 and return same without recommendation.

FEATHERSTONE,
Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Fish and Game, respectfully report that we have had under consideration House Bill No. 33 and recommend that it be withdrawn.

FARMIN,
Chairman.

Report adopted.

Messages From the Governor.

The following message was received from the Governor:

Boise, March 3, 1911.

Mr. Speaker and Gentlemen of the House of Representatives:

I have this day approved House Bill No. 74, by Galloway. An Act authorizing the Governor and Secretary of State to convey certain lots in Morehead's addition to the City of Weiser to Washington County and the City of Weiser for the purposes of erecting a public building thereon, etc.

Also House Bill No. 75, substitute for House Bill No. 43, by Jacobs (by request). An Act to amend Section 7158 of the Penal Code, Revised Codes of Idaho, relating to malicious injury to property.

Also House Bill No. 196, by Bell. An Act authorizing a tax levy of three-fourths (3-4) of a mill on the dollar per annum, for university purposes, etc.

Also House Bill No. 341, by Committee on Irrigation, Reservoirs and Reclamation. An Act to amend Section 1622 of the Revised Codes of Idaho.

Also House Bill No. 355, by Terrell, Hendricks and Hyde. An Act authorizing a tax levy of three-fifths (3-5) of a mill on the dollar per annum for Academy of Idaho purposes, etc.

Respectfully,

JAMES H. HAWLEY,
Governor.

Message From the Senate.

Mr. Speaker:

I have the honor to transmit herewith Senate Bills Nos. 160 and 174 which have passed the Senate.

Also House Bill No. 105, as amended by the Senate, and House Bills Nos. 94, 233 and 376 which have passed the Senate.

Also House Bill No. 246, as amended by the Senate, which has passed the Senate.

Also House Bill No. 380, which has failed to pass in the Senate.

CHARLES J. LISLE,
Assistant Secretary of Senate.

Moved by Crow that House go into Committee of the Whole for the purpose of considering the Boise City Charter Bill.

Seconded by Edgington.

Motion lost.

Hill moved that the Sifting Committee make a report at this time on the measures which in their judgment should pass the House.

Seconded by Morgan.

Motion carried.

Report of Sifting Committee.

Mr. Speaker:

We, your Committee appointed to take the bills awaiting action by the House of Representatives on the different readings and in the General Calendar, beg leave to report as follows:

We have investigated thoroughly the merits of the various bills unfinished by the House, and recommend that the following bills only be considered by this House; that they be taken up in the order given and where necessary, the House suspend the rules of the Constitutional provisions and place them upon their final passage:

Amended in the Senate, 342.

Amended in the Senate, 213.

Amended in the Senate, 191.

Amended in the Senate, 105.

Amended in the Senate, 246.

H. B. No. 453.

H. B. No. 340.

H. B. No. 371.

H. J. R. No. 21.

H. B. No. 289.

H. B. No. 451.

H. B. No. 452.

H. B. No. 444.

H. B. No. 147.

H. J. R. No. 11.

H. B. No. 306.
H. B. No. 387.
H. B. No. 134.
H. B. No. 448.
H. B. No. 226.
H. B. No. 394.
H. B. No. 352.
S. B. No. 130.
S. B. No. 94.
S. B. No. 75.
S. B. No. 76.
S. B. No. 144.
S. B. No. 59.
S. B. No. 97.
S. B. No. 168.
S. B. No. 144.
S. J. R. No. 14.
S. B. No. 162.
S. B. No. 116.
H. B. No. 454.
S. B. No. 111.
S. B. No. 133.
S. B. No. 113.
S. B. No. 101.

JOHNSTON,
HELLEKSON,
WOOD.

Dunning moved that the report of the Sifting Committee be adopted.

Seconded by Warnick.

Morgan moved as a substitute motion that all legislative appropriation bills be included in the list submitted for passage by the Sifting Committee.

Second by Bell.

Motion carried.

Message From the Senate.

Mr. Speaker:

I have the honor to request the return of House Bill No. 342, which passed the Senate March 2, for reconsideration by the Senate.

CHARLES J. LISLE,

Assistant Secretary of Senate.

On motion by Nihart, seconded by Morgan, the request was complied with, and House Bill No. 342 returned to the Senate.

Report of Enrolling Committee.

Mr. Speaker:

We, your Committee on Engrossed and Enrolled Bills, beg leave to report House Bills Nos. 114, 159, 161, 27, 257, 277, 64, 123, and House Joint Memorial No. 9, correctly enrolled.

GLENNON,

Chairman.

House Bills and Memorials Signed by the Speaker.

Speaker in the presence of the House signed the following House Bills:

House Bills Nos. 114, 159, 161, 27, 257, 277, 64, 123 and House Joint Memorial No. 9.

Senate Bills Signed by the Speaker.

Speaker in the presence of the House signed the following Senate Bills:

Senate Bills Nos. 89, 87, 124, 92, 91, 125, 145, 85 and 150.

Report of Special Investigating Committee.

Mr. Speaker:

Owing to the fact that each member of the Special Investigating Committee has been especially interested in some measures of his own, at the closing hours, we have been unable so far to meet and formulate our report, but I have given notice to each member of said committee that a meeting will be held for that purpose tonight, March 3, at 7:30 p. m. in the City Hall. We, therefore, will file our report with the Senate and House of Representatives tomorrow morning, March 4.

Respectfully submitted,

THOMAS PRESTON,

Chairman Special Investigating Committee.

Introduction of Bills, Concurrent Resolutions and Joint Memorials.

By unanimous consent Baldrige introduced the following House Joint Resolution:

HOUSE JOINT RESOLUTION NO. 33, BY BALDRIDGE AND MORGAN.

Whereas, the people of the State of Idaho have procured by public subscription, and have caused to be selected the northeast quarter of section nine, and the northwest quarter of Section ten in Township three North, of Range three West from the Boise Meridian, in Canyon County, State of Idaho, for an Experimental Farm; and

Whereas, The Board of Regents of the State University of Idaho selected the said land as a site for such Experimental Farm for the State of Idaho; and

Whereas, The State Board of Land Commissioners has selected the said land under the grant for State Agricultural College land for the said purposes; and

Whereas, The said land has been improved, and it is proposed to further improve the same, in furtherance of said purposes:

Now, Therefore, and for the purpose of further encouraging the fulfillment and perfecting of the said purpose; Be it Resolved:

That the said northeast quarter of Section nine and the northwest quarter of Section ten in Township three North, of Range three West from the Boise Meridian, in Canyon County, State of Idaho, be and the same is hereby withdrawn from sale and permanently set apart for and dedicated to the exclusive use and purpose of an Experimental Farm for the State of Idaho, to be hereafter exclusively used and controlled by the Board of Regents of the State University of the State of Idaho for said purposes, so long as the same shall be used for said purposes.

Baldrige moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency, and that House Joint Resolution No. 33 be read the first and second times by title and the third time at length, section by section, and be put upon its final passage.

Seconded by Jones.

The question being on the suspension of the rules, roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glenon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, San-

born, Smith, Sorenson Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 59. Ayes, 59. Nays, none. Absent, not voting, none.

And so the rules were suspended.

HOUSE JOINT RESOLUTION NO. 33, BY BALDRIDGE AND MORGAN, was then read a first and second time by title and third time at length, section by section, for final action.

The question being, "Shall the resolution pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldridge, Bell, Berry, Black, Bower, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Hanmer, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Jones, Leaf, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Sorenson, Strode, Taylor, Thompson, Walker, Warnick, Wilson, Mr. Speaker. •

Nays—None.

Total number of votes, 49. Ayes, 49. Nays, none. Absent, not voting, 10.

And so the resolution passed, title was approved, and H. J. R. No. 33 was ordered transmitted to the Senate.

Introduction of House Bills, Concurrent Resolutions and Joint Memorials.

By unanimous consent the Committee on Appropriations introduced the following bills:

HOUSE BILL NO. 461, BY COMMITTEE ON APPROPRIATIONS.

An Act levying an ad valorem tax for each of the fiscal years 1911 and 1912, to provide revenues to pay the general current expenditures of the State of Idaho during the periods beginning on the first Monday in January, 1911, and ending on the first Monday in January, 1913, and other general expenditures for state purposes.

HOUSE BILL NO. 462, BY COMMITTEE ON APPROPRIATIONS.

An Act to provide for the payment of claims against the State for supplies furnished, and for services rendered during the years 1909 and 1910 in the several departments of the State Government for which insufficient appropriations were made in the General Appropriation Bill approved March 8, 1909.

Morgan moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that Senate amendments to House Bill No. 191 be read the first and second times and House Bill No. 191, as amended by the Senate, be read the third time at length, section by section, and be put upon its final passage.

Seconded by Friend.

The question being on the suspension of the rules, roll was called with the following result:

Ayes—Allred, Arthur, Baldridge, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 59. Ayes, 59. Nays, none. Absent, not voting, none.

And so the rules were suspended and Senate amendments to House Bill No. 191 were read first and second times.

HOUSE BILL NO 191, BY FRIEND AND STEPHENS (AS AMENDED BY THE SENATE), read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Black, Bradley, Burrell, Ceaser, Crow, Dunning, Eckles, Edgington, Farmin, Featherstone, Friend, Gibson, Hanmer, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jones, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Pincock, Smith, Sorenson, Strode, Taylor, Terrell, Thompson, Warnick, Wilson, Mr. Speaker.

Nays—None.

Total number of votes, 41. Ayes, 41. Nays, none. Absent, not voting, 18.

And so the bill passed, title was approved, and House Bill No. 191 was ordered enrolled.

Smith moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that Senate amendments to House Bill No. 213 be read the first and second times and House Bill No. 213, as amended by the Senate, be read the third time at length, section by section, and be put upon its final passage.

Seconded by Nielsen.

The question being on the suspension of the rules, roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Elmers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jensen, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 59. Ayes, 59. Nays, none. Absent, not voting, none.

And so the rules were suspended and Senate amendments to House Bill No. 213 were read first and second times.

HOUSE BILL NO. 213, BY COMMITTEE ON PUBLIC HEALTH (AS AMENDED BY THE SENATE), read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Bower, Bradford, Bradley, Burrell, Ceaser, Davis, Dunning, Eckles, Edgington, Elmers, Featherstone, Friend, Gibson, Hanmer, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jones, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Parker, Pincock, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Mr. Speaker.

Nays—None.

Total number of votes, 45. Ayes, 45. Nays, none. Absent, not voting, 14.

And so the bill passed, title was approved, and House Bill No. 213 was ordered enrolled.

Smith moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that Senate amendments to House Bill No. 105 be read the first and second times and House Bill No. 105, as amended by the Senate, be read the third time at length, section by section, and be put upon its final passage.

Seconded by Taylor.

The question being on the suspension of the rules, roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 59. Ayes, 59. Nays, none. Absent, not voting, none.

And so the rules were suspended and Senate amendments to House Bill No. 105 were read first and second times.

HOUSE BILL NO. 105, BY COMMITTEE ON PUBLIC HEALTH (AS AMENDED BY THE SENATE), read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Bower, Bradford, Bradley, Burrell, Ceaser, Davis, Dunning, Eckles, Edgington, Eimers, Featherstone, Friend, Gibson, Hanmer, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jones, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Parker, Pincock, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Mr. Speaker.

Nays—None.

Total number of votes, 45. Ayes, 45. Nays, none. Absent, not voting, 14.

And so the bill passed, title was approved and House Bill No. 105 was ordered enrolled.

Bell moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that House Bill No. 461 be read the first and second times by title and the third time at length, section by section, and be put upon its final passage.

Seconded by Hanmer.

The question being on the suspension of the rules, roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, San-

born, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 59. Ayes, 59. Nays, none. Absent, not voting, none.

And so the rules were suspended.

HOUSE BILL NO. 461, BY COMMITTEE ON APPROPRIATIONS, was then read first and second times by title and a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Bradley, Burrell, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Hanmer, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Leaf, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sorenson, Strode, Thompson, Walker, Warnick, Wilson, Mr. Speaker.

Nays—None.

Total number of votes, 43. Ayes, 43. Nays, none. Absent, not voting, 16.

And so the bill passed, title was approved, and House Bill No. 461 was ordered transmitted to the Senate.

Bell moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that House Bill No. 462 be read the first and second times by title and the third time at length, section by section, and be put upon its final passage.

Seconded by Warnick.

The question being on the suspension of the rules, roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 59. Ayes, 59. Nays, none. Absent, not voting, none.

And so the rules were suspended.

HOUSE BILL NO. 462, BY COMMITTEE ON APPROPRIATIONS, was then read first and second times by title and a third time at length, section by section, for final action.

Moved by Davis and seconded by Warnick that House Bill No. 462 be made a special order for 2 p. m. today.

Motion carried.

Report of Sifting Committee.

Mr. Speaker:

We, your Sifting Committee, beg leave to recommend that a committee be appointed from the House to confer with a like committee from the Senate, which committee shall act as a Joint Sifting Committee, and that such committee immediately confer with the Senate.

JOHNSTON,
HELLEKSON,
WOOD.

Seconded by Davis.

Motion carried.

Speaker appointed as House members on Joint Sifting Committee Johnston, Wood and Hellekson.

Report of Sifting Committee.

Mr. Speaker:

We, your Sifting Committee, have had under consideration Senate Bill No. 71 relative to the issuance of Tax Deeds and recommend that the same do pass.

Also Senate Bill No. 152 by Williams, which provides for a Commission to investigate and recommend to the Twelfth Session of the Idaho Legislature, proper amendments or additions to the laws of the State relative to the use of prison labor, and recommend that it do pass.

JOHNSTON,
HELLEKSON,
WOOD.

Report adopted.

Third Reading of House and Senate Bills and Final Action Thereon.

HOUSE BILL NO. 453 by Judiciary Committee, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Black, Bower, Burrell, Davis, Dunning, Eckles, Edgington, Farmin, Featherstone, Friend, Gibson, Hanmer, Hendricks Hill, Jacobs, Jayne, Johnson, Jones, Leaf, Morgan, Nelson, Nielsen, Oakes, Parker, Pincock, Sorenson, Strode, Taylor, Thompson, Mr. Speaker.

Nays—Walker.

Total number of votes, 34. Ayes, 33. Nays, 1. Absent, not voting, 25.

And so the bill passed, title was approved, and House Bill No. 453 was ordered transmitted to the Senate.

HOUSE BILL NO. 340, by Johnston, Davis and Terrell, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Berry, Black, Bower, Bradley, Burrell, Dunning, Farmin, Featherstone, Friend, Gibson, Hanmer, Hendricks, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Jones, Morgan, McCabe, Nielsen, Nihart, Oakes, Sanborn, Sorenson, Taylor, Thompson, Walker, Warnick, Mr. Speaker.

Nays—None.

Total number of votes, 33. Ayes, 33. Nays, 0. Absent, not voting, 26.

And so the bill passed, title was approved, and House Bill No. 340 was ordered transmitted to the Senate.

HOUSE BILL NO. 371, by Committee on State Affairs, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Berry, Black, Bradley, Censer, Dunning, Edgington, Eimers, Farmin, Featherstone, Friend, Gallo-way, Gibson, Glennon, Hanmer, Hendricks, Hill, Holmberg, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Jones, Morgan, McCabe, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Mr. Speaker.

Nays—None.

Total number of votes, 43. Ayes, 43. Nays, 0. Absent, not voting, 16.

And so the bill passed, title was approved, and House Bill No 371 was ordered transmitted to the Senate.

HOUSE JOINT RESOLUTION NO. 21, by Judiciary Committee, read a third time at length, section by section, for final action.

The question being, "Shall the resolution pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Berry, Black, Bradford, Bradley, Ceaser, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hendricks, Hill, Hutton, Hyde, Jenson, Johnson, Jones, Morgan, McCabe, Nelson, Nihart, Oakes, Parker, Pincock, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Mr. Speaker.

Nays—None.

Total number of votes, 40. Ayes, 40. Nays, 0. Absent, not voting, 19.

And so the resolution passed, title was approved, and House Joint Resolution No. 21 was ordered transmitted to the Senate.

HOUSE BILL, NO. 289, BY TAYLOR, NIHART, GLENNON, SMITH AND BOWER, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Berry, Black, Bower Bradley, Burrell, Ceaser, Dunning, Eckles, Featherstone, Friend, Galloway, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hyde, Jacobs, Jenson, Johnson, Jones, Kerby, Morgan, McCabe, Nelson, Nihart, Oakes, Parker, Pincock, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Mr. Speaker.

Nays—None.

Total number of votes, 43. Ayes, 43. Nays, 0. Absent, not voting, 16.

And so the bill passed, title was approved, and House Bill No. 289 was ordered transmitted to the Senate.

HOUSE BILL NO. 451, BY JUDICIARY COMMITTEE, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Berry, Black, Bradford, Bradley, Burrell, Dunning, Eckles, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Hanmer, Hendricks, Hill, Holmberg, Hyde, Jacobs, Johnson, Jones, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Mr. Speaker.

Nays—None.

Total number of votes, 41. Ayes, 41. Nays, 0. Absent, not voting, 18.

And so the bill passed, title was approved, and House Bill No. 451 was ordered transmitted to the Senate.

HOUSE BILL NO. 452, BY CROW, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Baldrige, Berry, Black, Bower, Bradford, Bradley, Dunning, Eckles, Farmin, Featherstone, Friend, Galloway, Gibson, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hyde, Johnson, Kerby, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Pincock, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Mr. Speaker.

Nays—None.

Total number of votes, 36. Ayes, 36 Nays, 0. Absent, not voting, 23.

And so the bill passed, title was approved, and House Bill No. 452 was ordered transmitted to the Senate.

HOUSE BILL NO. 444, BY HANMER, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldridge, Bell, Berry, Black, Bower, Bradley, Burrell, Ceaser, Dunning, Eckles, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Hanmer, Hill, Holmberg, Jayne, Jenson, Johnson, Jones, Morgan, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker Pincock, Sorenson, Stephens, Strode, Thompson, Warnick, Wilson, Mr. Speaker.

Nays—Sanborn, Walker.

Total number of votes, 42. Ayes, 40. Nays, 2. Absent, not voting, 17.

And so the bill passed, title was approved, and House Bill No. 444 was ordered transmitted to the Senate.

HOUSE BILL NO. 147, BY GIBSON, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Bell, Dunning, Galloway, Gibson, Hendricks, Hill, Hutton, Hyde, Jayne, Jenson, Johnson, Jones, Kerby, Parker, Pincock, Sorenson Stephens, Strode, Taylor, Terrell, Walker, Warnick, Mr. Speaker.

Nays—Allred, Arthur, Baldridge, Berry, Bower, Bradley, Burrell, Farmin, Friend, Glennon, Hanmer, Holmberg, Morgan, Nielsen, Nihart, Oakes, Smith, Thompson, Wilson, Wood.

Total number of votes, 43. Ayes, 23. Nays, 20. Absent, not voting, 16.

And so the bill passed, title was approved, and House Bill No. 147 was ordered transmitted to the Senate.

HOUSE JOINT RESOLUTION NO 11, BY DAVIS, read a third time at length, section by section, for final action.

The question being, "Shall the resolution pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldridge, Bell, Berry, Black, Bower, Bradley, Burrell, Ceaser, Eimers, Farmin, Featherstone, Glennon, Jacobs, Jenson, Jones, Nielsen, Nihart, Oakes, Smith, Thompson, Warnick.

Nays—Dunning, Friend, Gibson, Hanmer, Hendricks, Hill, Holmberg, Hutton, Hyde, Jayne, Kerby, Leaf, Morgan, Parker, Pincock, Sanborn, Sorenson, Stephens, Strode, Terrell, Walker, Wilson.

Total number of votes, 45. Ayes, 23. Nays, 22. Absent, not voting, 14.

And so the resolution, not having received the necessary two-thirds vote, failed to pass.

Moved by Gibson and seconded by Dunning that House take a recess until 1:30 p. m.

Motion carried.

Afternoon Session.

House met pursuant to recess taken. Mr. Speaker in the Chair. Roll call showed all members present except McCabe.

Reports of Standing Committees.

The Committee on Printing submitted the following report:

Mr. Speaker:

Your Committee on Printing herewith report that we have had correctly printed and distributed House Joint Memorial No. 11.

JONES,
Chairman.

Reports received.

Mr. Speaker:

We, your Committee on Privileges and Elections, beg leave to report that we have had under consideration Senate Joint Resolution No. 10 and recommend that it be indefinitely postponed.

Also House Bill No. 84, and recommend that it be indefinitely postponed.

BRADLEY,
Chairman

Report adopted.

Mr. Speaker:

We, the Committee on Engrossed and Enrolled Bills, beg to report House Bill No. 306 correctly engrossed.

GLENNON,
Chairman.

Report received.

Mr. Speaker:

We, your Committee on Engrossed and Enrolled Bills, beg leave to report House Bills Nos. 188, 325, 351, 223, 185, 177, 324, 413, 333, 197, 275, 362 and 190 correctly enrolled.

GLENNON,
Chairman.

House Bills Signed by the Speaker.

Speaker, in the presence of the House, signed the following House Bills:

House Bills Nos. 188, 325, 351, 223, 185, 177, 324, 413, 333, 197, 275, 362 and 190.

Messages From the Governor.

The following message was received from the Governor and read
March 3, 1911.

Mr. Speaker and Gentlemen of the House of Representatives:

I have this day approved House Bill No. 358, by Johnson, Wood, Holmberg, Sorenson and Jacobs. An Act authorizing a tax levy of three-fifths (3-5) of a mill on the dollar per annum for Lewiston State Normal purposes; etc.

Also House Bill No. 396, By Taylor. An Act authorizing a tax levy of one-half of a mill on the dollar per annum for Albion State Normal School purposes; etc.

Also House Bill No. 436, By Committee on Medicine, Surgery and Pharmacy. An Act authorizing a tax levy of one-third (1-3) of a mill on the dollar per annum for purposes of the deaf, dumb and blind school at Gooding, etc.

Also House Bill No. 440, by Committee on State Affairs. An Act creating a commission to have charge of the installing and maintaining an exhibit of the products and resources of the State of Idaho at the Panama-Pacific International Exposition, etc.

Also House Bill No. 81, by Johnson and Sorenson. An Act to create and organize the County of Lewis in the State of Idaho; to define the boundaries thereof; to classify said county and locate the temporary county seat, etc.

Respectfully,

JAMES H. HAWLEY,
Governor.

Motions and Resolutions.

Davis introduced the following Concurrent Resolution and moved its adoption:

HOUSE CONCURRENT RESOLUTION NO. 15, BY DAVIS.

Be it resolved by the House of Representatives, the Senate concurring, That it is the sense of the Legislature that the Governor should immediately serve notice upon all heads of institutions, Boards of Regents, Commissioners, or any other officers who have authority under the law to authorize the expenditure of money under appropriations made by the Legislature, that the contracting or authorizing of any debt or obligation for which deficiency warrants must be issued without first obtaining the consent and sanction of the State Board of Examiners as provided by law, will be hereafter considered good and sufficient reason for prompt removal from office.

Seconded by Dunning.

Motion prevailed, and H. C. R. No. 15 was adopted and ordered transmitted to the Senate.

Special Order.**HOUSE BILL NO. 462.**

House Bill No. 462, made a special order for this hour, was brought up for consideration.

HOUSE BILL NO. 462, BY COMMITTEE ON APPROPRIATIONS, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Arthur, Berry, Black, Bower, Bradford, Bradley, Ceaser, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Glennon, Hanmer, Hellekson, Hendricks, Hill, Jayne, Johnson, Johnston, Kerby, Leaf, Morgan, Nelson, Nihart, Oakes, Parker, Pincock, Sanborn, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Warnick, Wilson, Mr. Speaker.

Nays—Kerby, Nihart, Parker, Sanborn, Strode.

Total number of votes, 41. Ayes, 36. Nays, 5. Absent, not voting, 18.

And so the bill passed, title was approved, and House Bill No. 462 was ordered transmitted to the Senate.

Third Reading of House and Senate Bills and Final Action Thereon.

HOUSE BILL NO. 387, BY BLACK, DAVIS AND BALDRIDGE, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Arthur, Berry, Black, Bower, Bradley, Davis, Dunning, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Glennon, Hanmer, Hendricks, Hill, Holmberg, Jacobs, Jayne, Leaf, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Thompson, Warnick, Wilson, Mr. Speaker.

Nays—None.

Total number of votes, 37. Ayes, 37. Nays, none. Absent, not voting, 22.

And so the bill passed, title was approved, and House Bill No. 387 was ordered transmitted to the Senate.

SENATE BILL NO. 134, BY WHITCOMB, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Arthur, Black, Bradley, Ceaser, Davis, Dunning, Edgington, Farmin, Featherstone, Friend, Glennon, Hanmer, Hendricks, Hill, Holmberg, Jayne, Jenson, Leaf, Nelson, Oakes, Pincock, Smith, Sorenson, Strode, Terrell, Thompson, Warnick, Wilson, Mr. Speaker.

Nays—Eimers, Jacobs.

Total number of votes, 31. Ayes, 29. Nays, 2. Absent, not voting, 28.

And so the bill passed, title was approved, and Senate Bill No. 134 was ordered transmitted to the Senate.

HOUSE BILL NO. 448, BY ALLRED, NIELSEN, WARNICK AND JOHNSTON, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Berry, Bower, Bradley, Ceaser, Davis, Dunning, Edgington, Eimers, Farmin, Featherstone, Galloway, Hanmer, Hendricks, Hill, Holmberg, Hyde, Jayne, Jenson, Johnson, Johnston, Kerby, Leaf, Morgan, Nelson, Nielsen, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Strode, Taylor, Thompson, Warnick, Mr. Speaker.

Nays—Arthur, Jacobs, Wilson.

Total number of votes, 40. Ayes, 37. Nays, 3. Absent, not voting, 19.

And so the bill passed, title was approved, and House Bill No. 448 was ordered transmitted to the Senate.

Motion by Davis.

Davis moved that the House reconsider the vote by which Senate Bill No. 84 was indefinitely postponed.

Seconded by Johnston.

Motion prevailed.

Dunning raised the point of order that House could not reconsider without a suspension of the rules.

Speaker ruled that notice to reconsider was given yesterday, and that it was in proper order to reconsider at this time under the head of unfinished business.

Davis moved to return to the Fifth Order of Business.

Seconded by Johnston.

Motion carried.

Galloway rose to a point of order that since Rule 47 prescribes the order of business for the day, under Rule 52 it is necessary to obtain a two-thirds vote of the members of the House to return to any order of business after it is passed.

Speaker then stated the question before the House was, "Shall the motion to reconsider lie on the table?"

On viva voce vote motion was lost.

The question then before the House was the motion to reconsider the vote by which Senate Bill No. 84 was indefinitely postponed.

Motion prevailed.

Davis then moved that Senate Bill No. 84 be placed on its third reading and final passage.

Seconded by Johnston.

Motion carried.

SENATE BILL NO. 84, BY HAIGHT, then read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Crow, Davis, Edgington, Eimers, Farmin, Feather-

stone, Hellekson, Hendricks, Hill, Hyde, Jacobs, Jayne, Johnston, Jones, Nielsen, Nihart, Oakes, Pincock, Smith, Taylor, Terrell, Thompson, Warnick, Wood, Mr. Speaker.

Nays—Ceaser, Dunning, Eckles, Friend, Galloway, Gibson, Glennon, Hanmer, Hutton, Jenson, Johnson, Kerby, Leaf, Nelson, Parker, Sanborn, Sorenson, Stephens, Strode, Walker, Wilson.

Total number of votes, 55. Ayes, 34. Nays, 21. Absent, not voting, 4.

And so the bill passed, title was approved, and Senate Bill No. 84 was ordered transmitted to the Senate.

HOUSE BILL NO. 226, BY JACOBS, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Berry, Black, Bradley, Ceaser, Davis, Dunning, Eckles, Edgington, Featherstone, Friend, Galloway, Hanmer, Hendricks, Hill, Hyde, Jacobs, Jayne, Jenson, Johnson, Leaf, Nielsen, Oakes, Parker, Pincock, Sorenson, Strode, Taylor, Terrell, Thompson, Warnick, Wilson, Mr. Speaker.

Nays—None.

Total number of votes, 32. Ayes, 32. Nays, none. Absent, not voting, 27.

And so the bill passed, title was approved and House Bill No. 226 was ordered transmitted to the Senate.

HOUSE BILL NO. 306, BY NIHART, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Berry, Black, Bower, Bradley, Ceaser, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Glennon, Hanmer, Hendricks, Hill, Jacobs, Jenson, Johnson, Leaf, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Mr. Speaker.

Nays—None.

Total number of votes, 40. Ayes, 40. Nays, none. Absent, not voting, 19.

And so the bill passed, title was approved and House Bill No. 306 was ordered transmitted to the Senate.

HOUSE BILL NO. 352, BY STEPHENS, EIMERS AND PARKER, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Arthur, Berry, Black, Bower, Bradford, Bradley, Crow, Davis, Dunning, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Hanmer, Hendricks, Jacobs, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Warnick, Wilson, Mr. Speaker.

Nays—Eckles, Glennon, Morgan, Sanborn, Walker.

Total number of votes, 39. Ayes, 34. Nays, 5. Absent, not voting, 20.

And so the bill passed, title was approved, and House Bill No. 352 was ordered transmitted to the Senate.

SENATE BILL NO. 130, BY JUDICIARY COMMITTEE, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Arthur, Berry, Black, Bower, Bradford, Bradley, Davis, Dunning, Eckles, Eimers, Featherstone, Friend, Galloway, Hanmer, Kerby, Leaf, Morgan, Nelson, Nielsen, Oakes, Pincock, Terrell, Thompson, Walker, Warnick, Wilson, Mr. Speaker.

Nays—Ceaser, Hendricks, Jacobs, Strode.

Total number of votes, 31. Ayes, 27. Nays, 4. Absent, not voting, 28.

And so the bill passed, title was approved and Senate Bill No. 130 was ordered transmitted to the Senate.

HOUSE BILL NO. 454, by Davis, by request, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Arthur, Berry, Black, Bower, Bradley, Ceaser, Davis, Dunning, Eckles, Eimers, Farmin, Featherstone, Friend, Hanmer, Hendricks, Hill, Jacobs, Johnson, Leaf, Morgan, Nelson, Neilsen, Nihart, Oakes, Parker, Pincock, Sorenson, Strode, Terrell, Thompson, Walker, Warnick, Wilson, Mr. Speaker.

Nays—None.

Total number of votes, 34. Ayes, 34. Nays, 0. Absent, not voting, 25.

And so the bill passed, title was approved, and House Bill No. 454 was ordered transmitted to the Senate.

SENATE BILL NO. 94, by Preston, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Arthur, Berry, Black, Bower, Bradley, Ceaser, Davis, Dunning, Eckles, Eimers, Farmin, Featherstone, Friend, Hanmer, Hendricks, Hill, Johnson, Leaf, Morgan, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sorenson, Strode, Terrell, Thompson, Walker, Warnick, Wilson, Mr. Speaker.

Nays—None.

Total number of votes, 33. Ayes, 33. Nays, 0. Absent, not voting, 26.

And so the bill passed, title was approved, and Senate Bill No. 94 was ordered transmitted to the senate.

SENATE BILL NO. 75, by Judiciary Committee, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Berry, Bower, Bradley, Davis, Dunning, Eckles, Eimers, Farmin, Featherstone, Friend, Hanmer, Hendricks, Hill, Jacobs, Johnson, Leaf, Morgan, Nelson, Nihart, Oakes, Parker, Pincock, Smith, Sorenson, Strode, Terrell, Thompson, Walker, Warnick, Wilson, Mr. Speaker.

Nays—None.

Total number of votes, 31. Ayes, 31. Nays, 0. Absent, not voting, 28.

And so the bill passed, title was approved, and Senate Bill No. 76 was ordered transmitted to the Senate.

Senate Bills Signed by the Speaker.

Speaker in the presence of the House signed the following Senate Bills:

S. B. No. 135.

S. B. No. 30.

S. B. No. 120.

S. B. No. 84.

Unanimous consent was given Morgan to submit the following report:

Conference report on House amendments to S. B. No. 50.

"Provided: That no more than One Thousand Dollars (\$1,000), shall be paid out of the general fund of the State for such a purpose, in any one (1) year; and that no deputy bee inspector shall be employed for more than ninety (90) days in any one (1) year, and provided, further: That the State Bee Inspector or his deputies shall collect from each person whose bees are inspected the sum of Twenty-five cents (25c) for each hive inspected, for the first 20 hives, and Ten cents (10c) for each additional hive, said fees to be paid to the State Treasurer, and by him paid into the General Fund."

Mr. Speaker: The Conference Committee of the Senate accepts the above House amendments to and including the word "year" in line 5 thereof, and the Conference Committee of the House recedes as to that part of above amendments following the word "year" in line 5 thereof, and said committees agree that the comma after the word "year" in line 5 of said House amendments be changed to a period and the remainder of said amendments be stricken out.

MORGAN,
Chairman.

Morgan moved that the report be adopted and the committee discharged.

Seconded by Dunning.

Motion carried.

Report adopted and committee discharged.

Third Reading of Senate Bills, Joint Resolutions and Memorials and Final Actions Thereon.

SENATE BILL NO. 144, BY JUDICIARY COMMITTEE, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Arthur, Berry, Black, Bower, Bradley, Ceaser, Davis, Dunning, Eimers, Farmin, Featherstone, Friend, Hanmer, Hendricks, Hill, Jacobs, Jayne, Johnson, Kerby, Leaf, Morgan, McCabe, Nelson, Nielsen, Nihart, Parker, Pincock, Sanborn, Smith, Stephens, Strode, Thompson, Walker, Warnick, Wilson, Mr. Speaker.

Nays—None.

Total number of votes, 36. Ayes, 36. Nays, 0. Absent, not voting, 23.

And so the bill passed, title was approved, and Senate Bill No. 144 was ordered transmitted to the Senate.

SENATE BILL NO. 59, BY FISHER, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Bradley, Dunning, Eckles, Edgington, Eimers, Friend, Hanmer, Hendricks, Hill, Jacobs, Jayne, Kerby, Leaf, Morgan, Nelson, Parker, Pincock, Strode, Terrell, Walker, Wilson, Mr. Speaker.

Nays—Arthur, Black, Davis, Featherstone, Nielsen, Nihart, Oakes, Smith, Thompson, Warnick.

Total number of votes, 32. Ayes, 22. Nays, 10. Absent, not voting, 27.

And so the bill passed, title was approved, and Senate Bill No. 59 was ordered transmitted to the Senate.

SENATE BILL NO. 97, BY MACBETH, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Dunning, Eckles, Edgington, Hendricks, Hyde, Jayne, Leaf,

Morgan, Nelson, Pincock, Sorenson, Stephens, Strode, Terrell, Walker.

Nays—Arthur, Berry, Black, Bradford, Bradley, Ceaser, Davis, Eimers, Farmin, Featherstone, Friend, Hanmer, Hill, Kerby, Nielsen, Nihart, Oakes, Smith, Thompson, Warnick, Wilson, Mr. Speaker

Total number of votes, 37. Ayes, 15. Nays, 22. Absent, not voting, 22.

And so the bill failed to pass the House.

SENATE BILL NO. 168, BY COMMITTEE ON HIGHWAYS, BRIDGES AND FERRIES, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Arthur, Berry, Black, Bradley, Ceaser, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Glennon, Hanmer, Hill, Jacobs, Jayne, Kerby, Leaf, Morgan, Nelson, Nielsen, Nihart, Oakes, Pincock, Smith, Stephens, Strode, Taylor, Thompson, Walker, Warnick, Wilson, Mr. Speaker.

Nays—None.

Total number of votes, 35. Ayes, 35. Nays, 0. Absent, not voting, 24.

And so the bill passed, title was approved, and Senate Bill No. 168 was ordered transmitted to the Senate.

SENATE JOINT RESOLUTION NO. 14, BY JUDICIARY COMMITTEE, read a third time at length, section by section, for final action.

Morgan moved a call of the House.

Seconded by Hill.

Carried.

Roll call showed all members present except Allred, Baldridge, Bell, Bower, Galloway, Hanmer, Holmberg, Leaf, McCabe, Taylor, Terrell.

Sergeant-at-Arms was instructed to bring the absent members in.

Warnick moved that the call be raised.

Seconded by Walker.

Motion carried.

The question being, "Shall the resolution pass?" roll was called with the following result:

Ayes—Arthur, Bell, Berry, Black, Bradford, Bradley, Ceaser, Crow, Dunning, Eckles, Edgington, Farmin, Featherstone, Friend, Gibson, Glennon, Hellekson, Hill, Holmberg, Hutton, Jayne, Jensen, Johnson, Johnston, McCabe, Nelson, Nielsen, Nihart, Oakes, Sanborn, Smith, Sorenson, Strode, Warnick, Wilson.

Nays—Baldridge, Burrell, Davis, Eimers, Hendricks, Hyde, Jacobs, Jones, Kerby, Parker, Pincock, Stephens, Terrell, Thompson, Walker, Mr. Speaker.

Total number of votes, 51. Ayes, 35. Nays, 16. Absent, not voting, 8.

And so the resolution, not having received the necessary two-thirds vote, failed to pass the House.

SENATE BILL NO. 162, BY COMMITTEE ON HIGHWAYS, BRIDGES AND FERRIES, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Baldridge, Bell, Berry, Black, Bower, Bradley, Ceaser, Davis, Dunning, Edgington, Farmin, Glennon, Hill, Hutton, Jacobs, Jayne, Jones, Pincock, Smith, Sorenson, Taylor, Walker, Warnick, Mr. Speaker.

Nays—Eimers, Friend, Hyde, Johnson, Parker, Sanborn, Stephens, Strode, Thompson, Willson

Total number of votes, 34 Ayes, 24. Nays, 10. Absent, not voting, 25.

And so the bill passed, title was approved, and Senate Bill No. 162 was ordered transmitted to the Senate

SENATE BILL NO. 111, BY SHAWHAN, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result.

Ayes—Baldridge, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Eimers, Farmin, Friend, Hellekson, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Nielsen, Oakes, Parker, Pincock, Smith, Sorenson, Stephens, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Gibson, Hill, Nelson.

Total number of votes, 41. Ayes, 38 Nays, 3. Absent, not voting, 18.

And so the bill passed, title was approved, and Senate Bill No. 111 was ordered transmitted to the Senate.

SENATE BILL NO. 133, BY KERNS AND MACBETH, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result.

Ayes—Baldridge, Bower, Bradley, Ceaser, Davis, Dunning, Eckles, Eimers, Featherstone, Friend, Hendricks, Jacobs, Jayne, Jenson, Johnston, Jones, Nelson, Nielsen, Nihart, Oakes, Pincock, Smith, Stephens, Strode, Thompson, Warnick, Wilson, Mr. Speaker.

Nays—None.

Total number of votes, 31. Ayes, 31. Nays, 0. Absent, not voting, 28

And so the bill passed, title was approved, and Senate Bill No. 133 was ordered transmitted to the Senate.

SENATE BILL NO. 113, BY WILLIAMS, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result.

Ayes—Baldridge, Berry, Bower, Bradford, Bradley, Burrell, Ceaser, Dunning, Eckles, Farmin, Featherstone, Friend, Gibson, Glennon, Hutton, Jacobs, Jenson, Jones, Kerby, Nelson, Nielsen, Nihart, Oakes, Pincock, Smith, Sorenson, Thompson, Warnick, Wilson, Mr. Speaker.

Nays—Walker.

Total number of votes, 31. Ayes, 30. Nays, 1. Absent, not voting, 28.

And so the bill passed, title was approved, and Senate Bill No. 113 was ordered transmitted to the Senate

SENATE BILL NO. 101, BY MACBETH AND KERNS, read a third time at length, section by section, for final action

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Baldridge, Berry, Bower, Burrell, Davis, Dunning, Eimers, Farmin, Featherstone, Friend, Gibson, Glennon, Hill, Hutton, Jacobs, Jayne, Jenson, Jones, Kerby, Morgan, Nelson, Nihart, Oakes, Pincock, Sorenson, Stephens, Strode, Warnick, Wilson, Mr. Speaker.

Nays—Bradley, Smith, Thompson, Walker.

Total number of votes, 34. Ayes, 30. Nays, 4. Absent, not voting, 25.

And so the bill passed, title was approved, and Senate Bill No. 101 was ordered transmitted to the Senate.

SENATE BILL NO. 75, BY JUDICIARY COMMITTEE, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Arthur, Baldridge, Bell, Berry, Bower, Bradford, Bradley, Crow, Davis, Dunning, Eckles, Eimers, Farmin, Featherstone, Friend, Glennon Hill, Jacobs, Jayne, Jenson, Jones, Kerby, Morgan, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sorenson, Stephens, Strode, Thompson, Walker, Warnick, Wilson, Mr. Speaker.

Nays—Gibson.

Total number of votes, 38. Ayes, 37. Nays, 1. Absent, not voting, 21.

And so the bill passed, title was approved, and Senate Bill No. 75 was ordered transmitted to the Senate.

Crow moved that the House go into Committee of the Whole for the consideration of amendments to House Bill No. 300.

Seconded by Nihart.

Motion lost.

Unanimous consent was given Bradford to introduce the following bill:

H. B. NO. 463, SUBSTITUTE FOR H. B. NO. 300, BY BRADFORD, CROW, CEASER AND STOREY.

An Act to amend Section 2 of an Act entitled, "An Act to amend an Act entitled, "An Act to incorporate Boise City, in Ada County," (Approved January 11, 1866), and to amend an Act entitled, "An Act amending the Charter of the City of Boise; amending Sections 3, 5 and 9 of an Act incorporating the City of Boise, approved January 11, 1886, being Sections 130, 132 and 138 of the Special and Local Laws of Idaho," (Approved February 21, 1899) and to amend an Act entitled, "An Act to amend an Act entitled, "An Act to incorporate Boise City, in Ada County," (Approved January 11, 1866) and to amend an Act entitled, "An Act to amend Sections 3, 5 and 9 of an Act incorporating the City of Boise, approved January 11, 1866, being Sections 130, 132 and 138 of the Special and Local Laws of Idaho," (Approved February 21, 1899) and thereby prescribe and define the powers and duties of certain officers of said city and to provide for the assessing and collecting of city taxes by the County Assessor and Tax Collector of Ada County, Idaho," (Approved March 4, 1901) and to amend an Act entitled, "An Act to amend Sections 2 and 6 of an Act entitled an Act to amend an Act entitled, "An Act to incorporate Boise City, in Ada County," (Approved January 11, 1866) and to amend an Act entitled an Act to amend Sections 3, 5 and 9 of an Act incorporating the City of Boise, (Approved January 11, 1866) being Sections 130, 132 and 138 of the Special and Local Laws of Idaho," (Approved February 21, 1899) and thereby prescribe and define the powers and duties of certain officers of said city, and to provide for the assessing and collecting of city taxes by the County Assessor and Tax collector of Ada County, Idaho, (Approved March 4, 1901) extending and defining the boundaries of Boise City, and providing for the creation and organization of the fourth ward of Boise City, and for holding a special election therein (Approved March 11, 1903), and thereby making provisions for the annexation of territory, extending the city boundaries of said city, changing the number, mode of election and length of terms of councilmen, changing the time of holding city elections, providing a method of nominating elective officers, changing the manner of the

appointment of city officers and the removal thereof, defining the powers and duties of the Mayor and council, prescribing penalties for the violation of city ordinances, limiting the levy of taxes and appropriation of money, enlarging the jurisdiction of the city over nuisances and enlarging the police powers and defining its powers of imposing licenses and taxes and regulating trades, occupations and businesses, defining the qualifications, powers and duties of city officers, defining the jurisdiction of the City Magistrate and providing a method of appeal, creating an Auditing Committee, a Sinking Fund Commission and a Board of Public Works, regulating the granting of franchises and the operation thereof, providing for an official city newspaper, providing a method of impeachment of city officers (Approved February 22, 1907)," and to amend Section 42 of said Act as amended by an Act entitled, "An Act to amend Section 42 and Section 48 of an Act entitled, "An Act to incorporate Boise City, in Ada County," (approved January 11, 1866) and to amend an Act entitled, "An Act amending the Charter of the City of Boise; amending Sections 3, 5 and 9 of an Act incorporating the City of Boise, (Approved January 11, 1866), being Sections 130, 132 and 138 of the Special and Local Laws of Idaho," (Approved February 21, 1899) and to amend an Act entitled, "An Act to amend an Act entitled, 'An Act to incorporate Boise City, in Ada County,' (Approved January 11, 1866), and to amend an Act entitled, "An Act to amend Sections 3, 5 and 9 of an Act incorporating the City of Boise, (Approved January 11, 1866), being Sections 130, 132 and 138 of the Special and Local Laws of Idaho," (Approved February 21, 1899), and thereby prescribe and define the powers and duties of certain officers of said city, and to provide for the assessing and collecting of city taxes by the County Assessor and Tax Collector of Ada County, Idaho," (approved March 4, 1901) and to amend an Act entitled, "An Act to amend Sections 2 and 6 of an Act entitled an Act to amend an Act entitled, "An Act to incorporate Boise City, in Ada County," (Approved January 11, 1866) and to amend an Act entitled, "An Act to amend Sections 3, 5 and 9 of an Act incorporating the City of Boise (Approved January 11, 1866), being Sections 130, 132 and 138 of the Special and Local Laws of Idaho," (Approved February 21, 1899), and thereby prescribe and define the powers and duties of certain officers of said city, and to provide for the assessing and collecting of city taxes by the County Assessor and Tax Collector of Ada County, Idaho, (Approved March 4, 1901) extending and defining the boundaries of Boise City, and providing for the creation and organization of the fourth ward of Boise City, and for holding a special election therein (Approved March 11, 1903), and thereby making provision for the annexation of territory, extending the city boundaries of said city, changing the number, mode of election and length of term of councilmen, changing the time of holding city elections, providing a method of nominating elective officers, changing the manner of the appointment of city officers and the removal thereof, defining the powers and duties of the Mayor and council, prescribing penalties for the violation of city ordinances, limiting the levy of taxes and the appropriation of money, enlarging the jurisdiction of the city over nuisances and enlarging the police powers and defining its powers of imposing licenses and taxes and regulating trades, occupations and businesses, defining the qualifications, powers and duties of city officers, defining the jurisdiction of the City Magistrate and providing a method of appeal, creating an Auditing Committee, a Sinking Fund Commission and a Board of Public Works, regulating and granting of franchises and the operation thereof, providing for an official city newspaper, providing a method of impeachment of city officers," (Approved the 22nd day of February, 1907) and thereby making

provisions for the issuing of municipal coupon bonds, and for the paying of special assessments in installments, and for the issuing of district improvement bonds, and making provisions for the re-issuance of municipal coupon bonds and district improvement bonds in cases where the first issuance has heretofore been or may hereafter be declared invalid or void by any order or decree of court, (Approved March 11, 1909), thereby extending the boundaries of Boise City, and to add Section 74a thereto, providing that the provisions of the "Highway District law" shall apply to Boise City, and adding Section 74b thereto, providing that said Act shall be hereafter designated as Boise City charter.

Message From the Governor.

March 3rd, 1911.

Mr. Speaker and Members of the House of Representatives:

I have this day approved House Bill No. 160, by Galloway, providing for the issuing and sale of State bonds in the sum of Ten Thousand (\$10,000.00) Dollars, and appropriating the proceeds thereof for the construction of a wagon bridge across the Snake river, near Brownlee or Robinette, at some point to be selected and designated by the Probate Judge of Washington County, Idaho, etc

Also House Bill No. 275, by Eimers, Parker and Stephens. An act to provide for the construction and grading of an eight-foot road bed on about fifteen (15) miles of a public highway known as the White-bird Dumacque and Grave Creek wagon road in Idaho County, Idaho, etc.

Also House Bill No. 257, substitute for House Bill No. 218, by Bradford. An act defining a lottery, and to make the same, and acts and schemes to effect the same, unlawful; declaring the same an offense, etc.

Respectfully,

JAMES H. HAWLEY,
Governor.

Message From the Senate.

Mr. Speaker:

I have the honor to transmit herewith House Joint Resolution No. 30, which has passed the Senate unchanged.

CHAS. J. LISLE,
Assistant Secretary of Senate.

SENATE BILL NO. 71, BY JUDICIARY COMMITTEE, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Arthur, Black, Bower, Bradford, Crow, Davis, Dunning, Featherstone, Hanmer, Hendricks, Hill, Hutton, Jacobs, Kerby, Nielsen, Taylor, Mr. Speaker.

Nays—Baldridge, Berry, Bradley, Eckles, Eimers, Friend, Hyde, Leaf, Morgan, Nelson, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Thompson, Walker, Wilson.

Total number of votes, 39. Ayes, 17. Nays, 22. Absent, not voting, 20.

And so the bill failed to pass the House.

House Bills Signed By the Speaker.

Speaker announced that he was about to sign, and in the presence of the House, signed House Bill Nos. 51, 336, 82, 326, 179.

Unanimous consent was given to return to the Ninth Order of Business.

RESOLUTIONS BY DAVIS.

Davis offered the following resolutions:

Resolved, That the Speaker of the House retain in his employ a sufficient number of attaches to arrange and compare its records and files.

Resolved, That the Chief Clerk and Sergeant-at-Arms, upon the adjournment of this House, take an inventory of the property in use during the session, and file the same with the Secretary of State, and that they each be allowed one day's pay for such service.

Resolved, That, whereas the attaches of this House have been earnest and faithful in the discharge of their duties in this office; and

Whereas, Eight (8) hours have been considered a legal day's work for said attaches; therefore

Be it Resolved, By the House of Representatives of the Eleventh Session of the Idaho Legislature, that the Speaker be empowered to order paid to said attaches compensation for their overtime so certified to him, at the same rate as their regular compensation

Davis moved the adoption of the resolutions

Seconded by Morgan.

Motion carried.

Unanimous consent was given to return to the seventh order of business.

Reports of Standing Committees.

Mr. Speaker:

We, your Sifting Committee, report that H B 151 and 260 do pass; also S. B. 121.

JOHNSTON,

Report received and H B No 151 and S. B No. 121 filed for third reading.

Mr. Speaker:

We, your Committee on Engrossed and Enrolled Bills, beg to report House Bills Nos. 336, 82, 326, 179, 51 properly enrolled.

GLENNON,

Chairman.

Report received

Majority Report.

Mr. Speaker:

We, the majority members of the State Affairs Committee, having had under consideration House Bill No. 394, by Edgington, by request, beg leave to report that we recommend that the bill do pass, with the following amendment. "That the emergency clause be stricken out of the title."

JOHNSTON,
PINCOCK,
BRADFORD

Report received.

Mr. Speaker:

We your Committee on Private Corporations having had under consideration Senate Bill No. 127, by Yates, beg leave to recommend that it do pass.

BRADFORD,

Chairman.

Third Reading of House Joint Memorials and Resolutions and Final Action Thereon.

HOUSE BILL NO. 151, BY GALLOWAY, read a third time at length, section by section, for final action

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Arthur, Baldrige, Bell, Berry, Black, Bower, Bradley, Ceaser, Davis, Dunning, Eckles, Elmers, Farmin, Featherstone, Galloway, Glennon, Hanmer, Hellekson, Hill, Hutton, Jacobs, Johnston,

Kerby, Leaf, Nelson, Nielsen, Nihart, Oakes, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Thompson, Walker, Warnick, Wilson, Mr. Speaker.

Nays—None.

Total number of votes, 39. Ayes, 39. Nays, 0. Absent, not voting, 20.

And so the bill passed, title was approved and House Bill No. 151 was ordered transmitted to the Senate.

HOUSE BILL NO. 98, BY GLENNON, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Arthur, Baldridge, Bell, Black, Bower, Bradford, Bradley, Ceaser, Davis, Dunning, Eckles, Eimers, Farmin, Featherstone, Friend, Glennon, Hanmer, Hellekson, Hendricks, Hill, Hutton, Jacobs, Jayne, Johnson, Johnston, Leaf, Morgan, Nelson, Oakes, Sorenson, Stephens, Strode, Thompson, Walker, Wilson, Mr. Speaker.

Nays—Nielsen, Smith.

Total number of votes, 38. Ayes, 36. Nays, 2. Absent, not voting, 21.

And so the bill passed, title was approved, and House Bill No. 98 was ordered transmitted to the Senate.

Davis moved that House adjourn until 9 o'clock Saturday morning.

Second by Berry.

Motion carried.

House adjourned.

CHARLES D. STOREY,
Speaker.

JAMES H. WALLIS,
Chief Clerk.

SATURDAY, SIXTY-SECOND DAY, MARCH 4, 1911.

Hall of the House of Representatives,

Boise, Idaho, March 4, 1911.

House met pursuant to adjournment. Mr. Speaker in the Chair

Prayer was offered by the Chaplain.

Roll call showed all members present, except Allred, Galloway, Gibson, Holmberg, Leaf and McCabe.

Reports of Standing Committees.

The Committee on Printing submitted the following report:

Mr. Speaker:

Your Committee on Printing herewith report that we have had correctly printed and distributed the following bills: House bills Nos. 454, 455, 458, 459, 461, 462 and 463; amendments to Senate Bill No. 116; House Concurrent Resolution No. 12, House Joint Resolutions Nos. 32, 33.

JONES,
Chairman.

Report received.

Report of Enrolling Committee:

Mr. Speaker:

We, your Committee on Engrossed and Enrolled Bills, beg to report House Bills Nos. 330 and 303 correctly enrolled.

GLENNON,
Chairman.

Motions and Resolutions.

Davis rose to a question of personal privilege and in a brief speech,

expressing the esteem in which the members of the House hold Speaker Storey, and complimenting him on his fairness to all the members, presented to the Speaker, on behalf of all the House members, a beautiful Morris chair.

Speaker Storey responded and thanked the members for this token of esteem, and assured them of his appreciation of the action on their part.

Morgan also rose to a question of personal privilege and said there were others who ought to be taken into consideration, and referred to the employes and clerks who have worked so diligently during the session. He wished especially to single out one of the employes, and that was the Chief Clerk, Mr. Wallis. He said that Mr. Wallis, by reason of his eminent fairness and diligent work had won the esteem of every member of the House and the members of the Eleventh Session of the Idaho Legislature wished to show in some way their appreciation for him and the efforts he has put forth in this session. Mr. Morgan thereupon presented to Mr. Wallis an elegant turquoise matrix stick pin.

Mr. Wallis responded in his own happy way and thanked the members for the confidence reposed in him.

Representative Terrell said the minority members of the House have had a leader, who has been always persistent in trying to secure the best legislation possible during this session, and the minority members wished at this time to show their appreciation of his untiring efforts. He then presented to Morgan a gold watch.

Morgan in response said that he appreciated the gift more than he could express by mere words and at the same time thought he should be giving presents to them, rather than they to him, because of their loyalty to him throughout the present session.

House Bills Signed by the Speaker.

Speaker, in the presence of the House, signed the following House Bills:

H. B. No. 303.

H. B. No. 330.

Senate Bills Signed by the Speaker.

Speaker, in the presence of the House, signed the following Senate Bills.

S. B. No. 76.

S. B. No. 59.

S. B. No. 101.

S. B. No. 113.

S. B. No. 94.

S. B. No. 131.

S. B. No. 144.

S. B. No. 75.

S. B. No. 134.

Message From Governor.

Boise, March 4th, 1911.

Mr. Speaker and Members of the House of Representatives:

I have this day approved House Bill No. 277, by Johnson. An Act authorizing the State Board of Land Commissioners of the State of Idaho to sell at auction certain State lands situate in Bingham County, Idaho, etc.

Respectfully,

JAMES H. HAWLEY,
Governor.

Introduction of House Bills, Concurrent Resolutions and Joint Memorials.

Unanimous consent was given for the introduction of the following bills:

H. B. NO. 464, BY COMMITTEE ON APPROPRIATIONS.

An Act making appropriation for the payment of salaries and compensation of officers and employees of the State of Idaho and the general expenses of State Government and the supporting and maintaining of the State institutions for the period commencing on the first Monday of January, 1911, and ending on the first Monday of January, 1913.

H. B. NO. 465, BY APPROPRIATIONS COMMITTEE.

An Act relating to the Bureau of Immigration, Labor and Statistics and fixing the salary and relating to the expenses of the Commissioner thereof, and amending Section 1418 and repealing Section 1423 of the Idaho Revised Codes.

Motions and Resolutions.

Bell moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring that all bills be read on three several days, be dispensed with, this being a case of urgency, and that House Bill No. 464 be read the first and second times by title and the third time at length, section by section, and be put upon its final passage.

Seconded by Warnick.

The question being on the suspension of the rules, roll was called with the following result:

Ayes—Arthur, Baldridge, Bell, Berry; Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Glennon, Hammer, Hellekson, Hendricks, Hill, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Morgan, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 53. Ayes, 53. Nays, none. Absent, not voting, 6.

And so the rules were suspended.

House Bill No. 464, by Committee on Appropriations was then read first and second times by title and a third time at length, section by section, for final action.

Smith moved that House go into Committee of the Whole for the purpose of amending House Bill No. 464.

Seconded by Nelson.

Motion carried.

House in Committee of the Whole.

House resolved itself into Committee of the Whole for the purpose of amending House Bill No. 464.

House in Regular Session.

The Committee of the Whole submitted the following report:
Mr. Speaker:

The Committee of the Whole, having had under consideration House Bill No. 464, recommend that the same be printed at once and

that it be made a special order for consideration at a time not later than 6 p. m. today.

BLACK,
Chairman,

Black moved that the report be adopted.
Seconded by Smith
Motion carried.

Message From the Senate.

Mr. Speaker:

I have the honor to transmit herewith House Bills Nos. 202 and 313, as amended by the Senate, which have passed the Senate.

CHARLES J. LISLE

Assistant Secretary of Senate.

Bell moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that House Bill No. 465 be read the first and second times by title and the third time at length, section by section, and be put upon its final passage.

Seconded by Warnick.

The question being on the suspension of the rules, roll was called with the following result:

Ayes—Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Elmers, Farmin, Featherstone, Friend, Glennon, Hanmer, Hellekson, Hendricks, Hill, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Morgan, Nelson, Nielson, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker

Nays—None.

Total number of votes 53. Ayes, 53. Nays, none. Absent, not voting, 6

And so the rules were suspended

HOUSE BILL NO. 465, BY COMMITTEE ON APPROPRIATIONS, was then read first and second times by title and third time at length, section by section, for final action

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Baldrige, Black, Bradford, Burrell, Ceaser, Davis, Dunning, Featherstone, Friend, Gibson, Hanmer, Hendricks, Hill, Hyde, Jenson, Johnston, Leaf, Morgan, Nelson, Pincock, Smith, Sorenson, Strode, Taylor, Terrell, Walker, Warnick

Nays—Allred, Arthur, Berry, Bower, Bradley, Eckles, Elmers, Farmin, Hellekson, Jacobs, Jayne, Johnson, Jones, Nielson, Nihart, Oakes, Parker, Sanborn, Thompson, Wilson, Wood, Mr. Speaker.

Total number of votes, 49. Ayes, 27. Nays, 22. Absent, not voting, 10.

And so the bill passed, title was approved, and H B No. 465 was ordered transmitted to the Senate.

Warnick moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that Senate amendments to House Joint Resolution No. 30 be read the first and second times, and H J. R. No. 30 as amended by the Senate be read the third time at length, section by section, and be put upon its final passage.

Seconded by Featherstone.

The question being on the suspension of the rules, roll was called with the following result.

Ayes—Arthur, Baldridge, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Elmers, Farmin, Featherstone, Friend, Glennon, Hanmer, Hellekson, Hendricks, Hill, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Morgan, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker,

Nays—None.

Total number of votes, 53. Ayes, 53. Nays, None. Absent, not voting, 6.

And so the rules were suspended and Senate Amendments to House Joint Resolution No. 30 were read first and second times.

HOUSE JOINT RESOLUTION NO. 30, BY WARNICK, FEATHERSTONE AND HANMER, AS AMENDED BY THE SENATE, read a third time at length, section by section, for final action.

The question being, "Shall the resolution pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldridge, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Davis, Dunning, Eckles, Elmers, Farmin, Featherstone, Friend, Gibson, Hanmer, Hellekson, Hendricks, Hyde, Jacobs, Jayne, Johnson, Jones, Kerby, Leaf, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 46. Ayes, 46. Nays, 0. Absent, not voting, 13.

And so the resolution passed, title was approved, and H. J. R. No. 30 was ordered enrolled.

Hill moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that Senate amendments to House Bill No. 202 be read the first and second times and House Bill No. 202, as amended by the Senate be read the third time at length, section by section, and be put upon its final passage.

Seconded by Pincock.

The question being on the suspension of the rules, roll was called with the following result:

Ayes—Arthur, Baldridge, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Elmers, Farmin, Featherstone, Friend, Glennon, Hanmer, Hellekson, Hendricks, Hill, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Morgan, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 53. Ayes, 53. Nays, none. Absent, not voting, 6.

And so the rules were suspended and Senate amendments to House Bill No. 202 were read first and second times.

HOUSE BILL NO. 202, BY HILL, AS AMENDED BY THE SENATE, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Galloway, Hanmer, Hellekson, Hendricks, Hill, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Leaf, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 53. Ayes, 53. Nays, none. Absent, not voting, 6.

And so the bill passed, title was approved, and House Bill No. 202 was ordered enrolled.

Black moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days; be dispensed with, this being a case of urgency, and that Senate amendments to House Bill No. 313 be read the first and second times; House Bill No. 313, as amended by the Senate, be read the third time at length, section by section, and be put upon its final passage.

Seconded by Edgington.

The question being on the suspension of the rules, roll was called with the following result:

Ayes—Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Glennon, Hanmer, Hellekson, Hendricks, Hill, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Morgan, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 53. Ayes, 53. Nays, none. Absent, not voting, 6.

And so the rules were suspended, and Senate amendments to House Bill No. 313 were read first and second times.

HOUSE BILL NO. 313, BY BLACK AND EDGINGTON, AS AMENDED BY THE SENATE, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Davis, Dunning, Eckles, Eimers, Farmin, Featherstone, Friend, Hanmer, Hellekson, Hendricks, Hill, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 51. Ayes, 51. Nays, none. Absent, not voting, 8.

And so the bill passed, title was approved, and House Bill No. 313 was ordered enrolled.

Black moved that House make the apportionment bill a special order for 2 p. m.

Seconded by Warnick.

Motion carried.

Reports of Standing Committees.

The Committee on Engrossed and Enrolled Bills submitted the following report:

Mr. Speaker:

We, your Committee on Engrossed and Enrolled Bills, beg leave to report House Bills Nos. 191, 118, 68, 246, 172 and 304 correctly enrolled.

GLENNON,
Chairman.

Report received.

Report Special Committee.

Mr. Speaker:

We, your Sifting Committee, having had under consideration House Bill No. 370, by Johnston, beg leave to report that we recommend that the bill do pass.

JOHNSTON,
HELLEKSON,
WOOD.

Report received.

House Bills Signed by Speaker.

Speaker, in the presence of the House, signed the following House Bills:

H. B. No. 68.
H. B. No. 304.
H. B. No. 118.
H. B. No. 191.
H. B. No. 172.
H. B. No. 246.

Messages From the Senate.

Mr. Speaker:

I have the honor to transmit herewith House Bills Nos. 361, 350, 403, 371, 452, 189, 283 and 432, which have passed the Senate.

Also House Joint Memorial No. 11, which has passed the Senate.

Also House Bill No. 231, as amended by the Senate, which has passed the Senate.

Also House Bills Nos. 400, 419, 420 and 421, which have passed the Senate.

Also House Bills Nos. 315 and 418, which have failed to pass the Senate.

Also House Bill No. 363, which has been indefinitely postponed in the Senate.

Also House Bill No. 450, which has been indefinitely postponed in the Senate.

CHARLES J. LISLE,
Assistant Secretary of Senate.

Messages From the Senate.

Mr. Speaker:

I have the honor to transmit herewith House Bills Nos. 342 and 337, which have passed the Senate.

Also House Bills Nos. 296, 435, 447 and 382, which have passed the Senate.

Also House Joint Resolution No. 24, and House Concurrent Resolution No. 15, which have passed the Senate.

Also House Bills Nos. 51 and 82, as amended in the Senate, which have passed the Senate.

CHARLES J. LISLE,
Assistant Secretary of Senate.

Mr. Speaker:

I have the honor to inform you that the Senate has adopted House Concurrent Resolution No. 12, by Hutton.

Also to transmit Senate Bills Nos. 156 and 170 which have passed the Senate.

Also to inform you that the Senate has passed Senate Bill No. 131, as amended in the House

CHARLES J. LISLE,
Assistant Secretary of Senate.

Mr. Speaker

I have the honor to transmit herewith Senate Bills Nos. 175, 156, 170, 171 and 172, which have passed the Senate.

CHARLES J. LISLE,
Assistant Secretary of Senate.

Message from the Governor.

March 4, 1911.

Mr. Speaker and Members of the House of Representatives:

I have this day approved House Bill No. 107, by Bower. An Act authorizing and directing the State Board of Education to cause to be erected a building near Gooding, Idaho, for the use of the deaf and blind and as a part of the Idaho State School for the Deaf and the Blind, etc

Respectfully,

JAMES H. HAWLEY,
Governor.

Motions and Resolutions.

Black moved that all rules of the House interfering with the immediate passage of bills be suspended, that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that Senate Bill No. 170 be read the first and second times by title and the third time at length, section by section, and be put upon its final passage

Seconded by Bower.

The question being on the suspension of the rules roll call was called with the following result:

Ayes—Arthur, Baldridge, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Glennon, Hanmer, Hellekson, Hendricks, Hill, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Morgan, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 53. Ayes, 53 Nays, none. Absent and not voting, 6.

And so the rules were suspended.

SENATE BILL NO. 170, BY COMMITTEE ON STATE AFFAIRS, was then read first and second times by title and the third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Berry, Black, Bower, Bradford, Bradley, Ceaser, Crow, Davis, Dunning, Farmin, Featherstone, Friend, Galloway, Hanmer, Hellekson, Hyde, Jacobs, Jenson, Johnson, Johnston, Jones, Leaf, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sorenson, Stephens, Strode, Taylor, Terrell, Walker, Warnick, Wood, Mr. Speaker.

Nays—Burrell, Eckles, Eimers, Sanborn, Thompson.

Total number of votes, 46. Ayes, 41. Nays, 5. Absent, not voting, 13.

And so the bill passed, title was approved, and Senate Bill No. 170 was ordered transmitted to the Senate.

Bower moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that Senate Bill No. 171 be read the first and second times by title and the third time at length, section by section, and be put upon its final passage.

Seconded by Burrell.

The question being on the suspension of the rules, roll was called with the following result:

Ayes—Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Glennon, Hanmer, Hellekson, Hendricks, Hill, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnston, Jones, Kerby, Morgan, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 53. Ayes, 53. Nays, 0. Absent, not voting, 6.

And so the rules were suspended.

SENATE BILL NO. 171, BY COMMITTEE ON HIGHWAYS AND BRIDGES, was then read first and second times by title and the third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Arthur, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Gibson, Hanmer, Hellekson, Hendricks, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnston, Jones, McCabe, Nelson, Nielsen, Nihart, Parker, Pincock, Smith, Sorenson, Strode, Taylor, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Eimers, Farmin, Featherstone, Friend, Kerby, Leaf, Sanborn, Thompson, Walker.

Total number of votes, 47. Ayes, 38. Nays, 9. Absent, not voting, 12.

And so the bill passed, title was approved, and Senate Bill No. 171 was ordered returned to the Senate.

Warnick moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that Senate Bill No. 172 be read the first and second times by title and the third time at length, section by section, and be put upon its final passage.

Seconded by Smith.

The question being on the suspension of the rules, roll was called with the following result:

Ayes—Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Glennon, Hanmer, Hellekson, Hendricks, Hill, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnston, Jones, Kerby, Morgan, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 53. Ayes, 53. Nays, none. Absent, not voting, 6.

And so the rules were suspended

SENATE BILL NO. 172, BY COMMITTEE ON HIGHWAYS AND BRIDGES, was then read first and second times by title and the third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result.

Ayes—Arthur, Baldrige, Berry, Black, Bradley, Ceaser, Davis, Dunning, Eckles, Eimers, Farmin, Featherstone, Friend, Gibson, Hanmer, Hellekson, Hendricks, Hill, Jacobs, Johnson, Johnston, Jones, Kerby, McCabe, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Strode, Taylor, Thompson, Warnick, Wilson, Wood, Mr. Speaker
Nays—Glennon, Walker.

Total number of votes, 40. Ayes, 38. Nays, 2. Absent, not voting, 19.

And so the bill passed, title was approved, and Senate Bill No. 172 was ordered returned to the Senate.

Hanmer moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that Senate Bill No. 156 be read the first and second times by title and the third time at length, section by section, and be put upon its final passage.

Seconded by Taylor.

The question being on the suspension of the rules, roll was called with the following result:

Ayes—Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Glennon, Hanmer, Hellekson, Hendricks, Hill, Hutton, Hyde, Jacobs, Jayne, Jensen, Johnson, Johnston, Jones, Kerby, Morgan, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 53. Ayes, 53. Nays, none. Absent, not voting, 6.

And so the rules were suspended.

SENATE BILL NO. 156, BY WHITCOMB (BY REQUEST) was then read first and second times by title and the third time at length, section by section, for final action

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Berry, Bradley, Dunning, Eimers, Featherstone, Hellekson, Jayne, Johnston, Kerby, Strode, Mr. Speaker.

Nays—Arthur, Baldrige, Bell, Black, Bower, Eckles, Farmin, Friend, Gibson, Glennon, Hanmer, Hendricks, Hill, Hyde, Jacobs, Jensen, Jones, Nihart, Oakes, Pincock, Sanborn, Smith, Taylor, Terrell Thompson, Walker, Wilson, Wood.

Total number of votes, 40. Ayes, 11. Nays 29. Absent, not voting, 19.

And so Senate Bill No. 156 failed to pass, and was returned to the Senate.

Berry moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a

case of urgency, and that Senate Bill No. 121 be read the first and second times and the third time at length, section by section, and be put upon its final passage.

Seconded by Farmin.

The question being on the suspension of the rules, roll was called with the following result:

Ayes—Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Elmers, Farmin, Featherstone, Friend, Glennon, Hanmer, Hellekson, Hendricks, Hill, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Morgan, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 53. Ayes, 53. Nays—None. Absent, not voting, 6.

And so the rules were suspended.

SENATE BILL NO. 121, BY SHAWHAN, was then read first and second times by title and the third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Arthur, Baldrige, Berry, Black, Bradford, Bradley, Ceaser, Crow, Davis, Dunning, Eckles, Elmers, Farmin, Featherstone, Friend, Glennon, Hellekson, Hendricks, Hill, Hyde, Johnson, Johnston, Jones, Morgan, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Taylor, Thompson, Walker, Warnick, Wood, Mr. Speaker.

Nays—Power, Gibson, Hanmer, Kerby, Stephens, Strode, Terrell, Wilson.

Total number of votes, 46. Ayes, 38. Nays, 8. Absent, not voting, 13.

And so the bill passed, title was approved, and Senate Bill No. 121 was ordered returned to the Senate.

Farmin moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that Senate Bill No. 160 be read the first and second times by title and the third time at length, section by section, and be put upon its final passage.

Seconded by Smith.

The question being on the suspension of the rules, roll was called with the following result:

Ayes—Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Elmers, Farmin, Featherstone, Friend, Glennon, Hanmer, Hellekson, Hendricks, Hill, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Morgan, Nelson, Nielson, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 53. Ayes, 53. Nays, 0. Absent, not voting, 6.

And so the rules were suspended.

SENATE BILL NO. 160, BY HAIGHT, was then read first and second times by title and the third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Arthur, Baldrige, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Farmin, Featherstone, Gibson, Glennon, Hanmer, Hellekson, Johnston, Nelson, Nielsen, Taylor, Warnick, Mr. Speaker.

Nays—Dunning, Eckles, Friend, Hendricks, Hill, Hyde, Jayne, Jenson, Johnson, Jones, Nihart, Parker, Pincock, Sanborn, Smith, Sorenson, Strode, Terrell, Thompson, Walker, Wilson, Wood.

Total number of votes, 45. Ayes, 23. Nays, 22. Absent, not voting, 14.

And so the bill passed, title was approved, and Senate Bill No. 160 was ordered returned to the Senate.

Smith moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that Senate Bill No. 148 be read the first and second times by title and the third time at length, section by section, and be put upon its final passage.

Seconded by Nielsen.

The question being on the suspension of the rules, roll was called with the following result:

Ayes—Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Glennon, Hanmer, Hellekson, Hendricks, Hill, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Morgan, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 53. Ayes, 53. Nays, none. Absent and not voting, 6.

And so the rules were suspended.

SENATE BILL NO. 148, BY HAIGHT, was then read first and second times by title and the third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Berry, Hellekson, Hyde, Smith, Taylor, Warnick, Wood, Mr. Speaker.

Nays—Arthur, Black, Bower, Bradley, Ceaser, Crow, Davis, Dunning, Eimers, Farmin, Featherstone, Friend, Glennon, Hanmer, Hendricks, Hill, Jacobs, Jayne, Jenson, Johnson, Jones, Kerby, Leaf, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Sorenson, Stephens, Strode, Terrell, Thompson, Walker, Wilson.

Total number of votes, 45. Ayes, 8. Nays, 37. Absent, not voting, 14.

And so the bill failed to pass, and was ordered returned to the Senate.

Taylor moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that Senate Bill No. 175 be read the first and second times by title and the third time at length, section by section, and be put upon its final passage.

Seconded by Eimers.

The question being on the suspension of the rules, roll was called with the following result:

Ayes—Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Elmers, Farmin, Featherstone, Friend, Glennon, Hanmer, Hellekson, Hendricks, Hill, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Morgan, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 53. Ayes, 53. Nays, none. Absent and not voting, 6.

And so the rules were suspended.

SENATE BILL NO. 175, BY COMMITTEE ON APPROPRIATIONS, was then read first and second times by title and the third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Arthur, Baldrige, Berry, Black, Bower, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Elmers, Farmin, Featherstone, Friend, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Hyde, Jayne, Jenson, Johnson, Johnston, Jones, Morgan, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Kerby.

Total number of votes, 49. Ayes, 48. Nays, 1. Absent, not voting, 10.

And so the bill passed, title was approved, and Senate Bill No. 175 was ordered returned to the Senate.

Jones moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that Senate Bill No. 127 be read the first and second times by title and the third time at length, section by section, and be put upon its final passage.

Seconded by Wilson.

The question being on the suspension of the rules, roll was called with the following result:

Ayes—Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Elmers, Farmin, Featherstone, Friend, Glennon, Hanmer, Hellekson, Hendricks, Hill, Holmberg, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Morgan, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 53. Ayes, 53. Nays, none. Absent and not voting, 6.

And so the rules were suspended.

SENATE BILL NO. 127, BY YATES, was then read first and second times by title and the third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Arthur, Baldrige, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Elmers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellek-

son, Hendricks, Hill, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Morgan, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 51. Ayes, 51. Nays, none. Absent, not voting, 8.

And so the bill passed, title was approved, and Senate Bill No. 127 was ordered returned to the Senate.

Hanmer moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that Senate Bill No. 174 be read the first and second times by title and the third time at length, section by section, and be put upon its final passage.

Seconded by Berry.

The question being on the suspension of the rules roll was called with the following result:

Ayes—Arthur, Baldridge, Bell, Berry, Black Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Glennon, Hanmer, Hellekson, Hendricks, Hill, Hutton, Hyde, Jacobs, Jayne, Jensen, Johnson, Johnston, Jones, Kerby, Morgan, Nelson, Nielson, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 53. Ayes, 53. Nays, none. Absent and not voting, 6.

And so the rules were suspended.

SENATE BILL NO. 174, BY MACBETH, was then read first and second times by title and the third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Burrell, Davis, Dunning, Featherstone, Glennon, Hellekson, Hendricks, Hill, Hyde, Jayne, Morgan, Nelson, Nielsen, Nihart, Sorenson, Strode, Walker, Wilson, Wood, Mr. Speaker.

Nays—Arthur, Baldridge, Berry, Black, Bower, Bradley, Ceaser, Eimers, Farmin, Friend, Hanmer, Jacobs, Jones, Kerby, Oakes, Sanborn, Thompson.

Total number of votes, 38. Ayes, 21. Nays, 17. Absent, not voting, 21.

And so the bill passed, title was approved, and Senate Bill No. 174 was ordered returned to the Senate.

Edgington moved that all rules of the House interfering with the immediate passage of bills be suspended, that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that Senate Bill No. 99 be read the first and second times by title and the third time at length, section by section, and be put upon its final passage.

Seconded by Burrell.

The question being on the suspension of the rules roll was called with the following result:

Ayes—Arthur, Baldridge, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Crow, Davis, Dunning, Eckles, Edgington, Eimers, Farmin, Featherstone, Friend, Glennon, Hanmer, Hellekson, Hen-

dricks, Hill, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Morgan, Nelson, Nielson, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 53. Ayes, 53. Nays, None. Absent and not voting, 6.

And so the rules were suspended.

SENATE BILL NO. 99, BY FREEHAFFER, was then read first and second times by title and the third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Arthur, Berry, Bower, Bradley, Burrell, Ceaser, Crow, Dunning, Eckles, Farmin, Featherstone, Friend, Glennon, Hanmer, Hellekson, Hendricks, Hill, Hyde, Jacobs, Johnson, Johnston, Jones, Kerby, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sorenson, Taylor, Terrell, Thompson, Walker, Wilson, Wood, Mr. Speaker.

Nays—Bower, Glennon, Kerby, Thompson.

Total number of votes, 37. Ayes, 33. Nays, 4. Absent, not voting, 22.

And so the bill was passed, title was approved, and Senate Bill No. 99 was ordered returned to the Senate.

Senate Bills Signed by Speaker.

Speaker in the presence of the House signed the following Senate Bills:

S. B. No. 133.

S. B. No. 130.

S. B. No. 162.

S. B. No. 111.

S. B. No. 168.

Message From the Governor.

March 4, 1911.

To the Senate and House of Representatives: Mr. Speaker and Gentlemen of the House of Representatives:

Overshadowing in its importance all matters to which your attention has been called during the present session, more important in its bearing upon the future of our State than any other matter presented for your consideration, is the curse of low valuations and high taxation which has prevailed for many years past in Idaho. The ridiculously low valuation of \$127,000,000 shown by our assessment rolls and the almost criminally high rate of four and five per cent taxation in most of our counties has done in the past, is doing at the present and will do in the future more to retard the development of our resources and prevent proper increase in our population than all other evils combined. That this lamentable condition of affairs should be remedied is appreciated by every citizen who has given the matter his or her careful attention and earnest thought. No tangible reason can be urged against the much needed reform of our financial system other than the fact that under an unwise provision of our Constitution the bonded indebtedness of the State may be increased in proportion to the increase in property valuations. Remedy this objection and no thinking citizen of our State will object to proper valuations of taxable property and a corresponding decrease in our tax rate. The people of the State must be guarded from imprudent legislation which may cripple our financial standing in the future, provided our assessed valuation is increased as by law required and the amount of bonded indebtedness that can be incurred is not limited. The matter is of such vast importance to all of the people of Idaho that I feel it in-

cumbent upon me in the last hours of the session to repeat that which on three occasions I have already referred to in messages, and ask you to present a constitutional amendment, to be voted upon at the next general election, limiting the bonded indebtedness of the State, outside of the territorial indebtedness and the Capitol Building bonds, to a certain fixed figure. I have heretofore suggested two million dollars as being a proper figure, but if any other figure than this would more likely meet with your approbation, then extend the amount, but fix it with certainty. The laws of Idaho have been violated by every officer entrusted with the assessment and collection of taxes for many years, and this violation of law has so been done as a matter of course that we find our different county officers meeting annually together and solemnly determining to what extent they will violate the provisions of our Civil Codes, and in what degree they will make themselves amendable to our Criminal Statutes. Formulate and pass a proposed amendment of this kind and there is not a shadow of doubt but what the people of the State will with practical unanimity vote in its favor. Give me, as Governor of this State, this excuse for enforcing the already existing laws of the State, if an excuse is necessary on the part of a public officer to enforce any law, and by the year 1912 we will have a valuation of at least \$500,000,000 on our assessment roll, even if I am compelled to exercise the power vested in me by the Constitution and the Statutes, and remove every county officer connected with our revenues from his position and prosecute such officer for violation of the Criminal Code.

It may be urged that under the mill tax rate system already enacted, a great increase in our taxable property would necessarily increase the funds devoted to certain educational purposes. We must expect, however, in every great reform, some temporary inconvenience and some slight wrong possibly inflicted. Such a course would not result in loss either to the state or to the taxpayer, because if a greater fund should be accumulated than would be needed it could be devoted for the purpose for which raised in subsequent years, and the tax rate correspondingly diminished. Nor could it be said that idle money would accumulate, as, under our present system, the amount on hand would necessarily be loaned by our State Treasurer.

I appeal to you for the last time for this great reform; this proposed amendment which will undoubtedly give the sought for relief; and beg of you to excuse my persistency in this matter by reason of my intense desire to put the State of Idaho upon a proper financial basis.

Respectfully submitted,

JAMES H. HAWLEY,

Governor.

Morgan moved that a special committee of three be appointed to consider S. J. R. No. 16 in connection with the Governor's message.

Seconded by Davis,

Motion carried.

The Speaker appointed Morgan, Davis and Johnston to act as such committee.

Motions and Resolutions.

Dunning moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that Senate Bill No. 176 be read the first and second times by title and the third time at length, section by section, and be put upon its final passage.

Seconded by Black.

The question being on the suspension of the rules, roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Davis, Dunning, Eckles, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 55. Ayes, 55. Nays, none. Absent and not voting, 4.

And so the rules were suspended.

SENATE BILL NO. 176, BY ST. CLAIR AND POTTS, was then read first and second times by title and the third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Berry, Black, Bower, Bradford, Bradley, Burrell, Davis, Dunning, Eckles, Eimers, Farmin, Featherstone, Friend, Glennon, Hanmer, Hendricks, Hutton, Hyde, Jacobs, Jayne, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Bell.

Total number of votes, 48. Ayes, 47. Nays, 1. Absent, not voting, 11.

And so the bill passed, title was approved, and Senate Bill No. 176 was ordered returned to the Senate.

Morgan stated that the Governor wished, before the close of the session, to bid the Legislature of the Eleventh Session good-bye, and moved that the Governor be invited to appear before the House and that a committee of three members from the House be selected to wait upon the Governor and escort him to the House Chamber.

Seconded by Smith.

Motion carried.

Speaker appointed Warnick, Smith and Morgan, who escorted the Governor to the Chair.

Farwell Address of the Governor.

Mr. Speaker and Gentlemen of the House of Representatives:

The Eleventh Session of the Legislature of this State in a few brief moments will be brought to a close, and it is appropriate that in severing my official relations with your Honorable Body that I earnestly express to you my satisfaction and appreciation of the courtesies uniformly extended to me throughout the entire session by your presiding officers, each and every of your members and your employes as well. This sentiment is intensified by the fact that I have not been in accord politically with a majority of your members, and, to those who entertain opposite political views from mine I desire to particularly address these remarks because of our personal relations having at all times been as pleasant and agreeable as would have been experienced by a man of your own political faith in my position. I entered upon the duties of Governor with the resolve to so conduct the affairs of the office as to me seemed to the best interests of the entire citizenship of the State, without regard to personal or political considerations; and upon this high plane I

have endeavored to travel as we have journeyed together through this legislative session. I believe that you, and each of you, have been animated by the same desire and your actions have been controlled by the same motives. While we have not agreed upon some things, such disagreement as I view it has resulted from honest differences of opinion in regard to public matters. Upon no occasion have I sought to influence your judgment or secure the passage or defeat of any given measure by undue influence privately suggested or inference rightfully drawn that my action as Governor upon certain questions would be controlled in any degree by your method of treating matters which I thought to be of vital interest. My opinions upon questions before you have been uniformly called to your attention through public messages and not by individual persuasion, and I am glad to say that upon no occasion has your Honorable Body sought, or any individual member of your body sought, to influence my action upon any given measure by either express or implied threats with reference to any matter upon which I have expressed to you my convictions and desires. While some things have been done which I would have preferred to have been left undone and while other matters have not met with your approbation which, to my mind, should have been accomplished, I am thoroughly satisfied such disagreement has resulted from honest convictions upon the part of each of us and not from desire for personal or political advantage.

Officially, I now bid you adieu and earnestly hope upon reaching your respective homes a grateful constituency will extend to each of you their thanks for duties well performed and their renewed confidence in both your intelligence and your integrity of purpose.

Respectfully submitted,

JAMES H. HAWLEY,

Governor.

Motions and Resolutions.

Dunning moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that Senate Bill No. 50 be read the first and second times by title and the third time at length, section by section, and be put upon its final passage.

Seconded by Berry.

The question being on the suspension of the rules, roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Davis, Dunning, Eckles, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Helleson, Hendricks, Hill, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, Nelson, Nielsen, Nihart Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 55. Ayes, 55. Nays, none. Absent, not voting, 4.

And so the rules were suspended.

SENATE BILL NO. 50, BY FREEHAFFER, was then read first and second times by title and third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Bell, Berry, Black, Bower, Bradford, Bradley,

Burrell, Ceaser, Davis, Dunning, Eckles, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Hellekson, Hendricks, Hill, Hutton, Hyde, Jacobs, Jayne, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Glennon, Hammer.

Total number of votes, 53. Ayes, 51. Nays, 2. Absent, not voting, 6.

And so the bill passed, title was approved, and Senate Bill No. 50 was ordered returned to the Senate.

Davis moved that Senate Bill No. 160 be recalled from the Senate for reconsideration.

Seconded by Baldrige.

Motion carried.

SENATE BILL NO. 54, BY WHITCOMB, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Berry, Black, Bower, Bradley, Burrell, Ceaser, Davis, Eimers, Farmin, Featherstone, Glennon, Hammer, Hendricks, Hyde, Jacobs, Johnston, Jones, Morgan, Nielsen, Nihart, Parker, Taylor, Terrell, Warnick, Mr. Speaker.

Nays—Bradford, Dunning, Eckles, Friend, Hutton, Johnson, Kerby, Leaf, Nelson, Sanborn, Smith, Sorenson, Stephens, Strode, Walker, Wilson.

Total number of votes, 43. Ayes, 28. Nays, 15. Absent, not voting, 16.

And so the bill passed, title was approved, and Senate Bill No. 54 was ordered returned to the Senate.

Message From the Governor.

March 4, 1911.

Mr. Speaker and Members of the House of Representatives:

I have this day approved House Bill 159, by Nihart (by request), an Act to amend Section 3244 of the Revised Codes of Idaho, relating to the appropriation, diversion and reclamation of water, so as to provide that when water is turned into the channel of a stream, an equal amount may be diverted from any tributary, etc.

Also I have this day approved House Bill No. 330, by Judiciary Committee, an Act providing that each District Judge within this state shall appoint a stenographic reporter; and amend Section 3980 of the Revised Codes of Idaho

Respectfully,

JAMES H. HAWLEY,

Governor.

Davis moved that House go into Committee of the Whole for the consideration of amendments to S. J. R. No. 16.

Seconded by Warnick.

Motion carried.

House In Committee of the Whole.

House then resolved itself into Committee of the Whole with Black in the chair.

House In Regular Session.

The Committee of the Whole submitted the following report:
Mr. Speaker:

The Committee of the Whole has had under consideration Senate Joint Resolution No. 16, and recommends that it be amended as follows:

Strike out Section 2 and substitute the following:

"Section 2. The question to be submitted to the electors of the State of Idaho at the next general election shall be as follows, to-wit:

" 'Shall Section 1, Article 8 of the Constitution of the State of Idaho be amended so as to limit the bonded indebtedness of the State, exclusive of the debt of the Territory at the date of its admission as a State, and exclusive of debts and liabilities incurred subsequent to January 1, 1911, for the purpose of the construction and furnishing of the State Capitol at Boise, Idaho, and exclusive of debt or debts, liability or liabilities, incurred by the Eleventh Session of the Legislature of the State of Idaho, to be limited to the sum of Two Million Dollars.' "

BLACK,

Chairman.

Black moved the adoption of the report of the Committee of the Whole.

Seconded by Davis.

Motion carried.

Senate Bills Signed by the Speaker.

Speaker in the presence of the House signed the following Senate Bills:

Senate Bills Nos. 172, 54, 99, 175, 121, 50, 160, 171, 176, 127, 174 and 170.

Motions and Resolutions.

Davis moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that House Amendments to S. J. R. No. 16 be read the first and second times and that S. J. R. No. 16 as amended be read the third time at length, section by section, and be put upon its final passage.

Seconded by Black.

The question being on the suspension of the rules, roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Davis, Dunning, Eckles, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Hutton, Hyde, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, Nelson, Nielson, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 55. Ayes, 55. Nays, none. Absent, not voting, 4.

And so the rules were suspended and House Amendments to S. J. R. No. 16 were read first and second times.

SENATE JOINT RESOLUTION NO. 16. BY JUDICIARY COMMITTEE, as amended, was then read third time at length, section by section, for final action.

The question being, "Shall the Resolution pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Davis, Dunning, Eckles, Eimers, Farmin, Featherstone, Friend, Galloway, Glennon, Hanmer, Hendricks, Hutton, Hyde, Jacobs, Jayne, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, Nelson, Niel-

sen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 49. Ayes, 49. Nays, none. Absent, not voting, 10.

And so the Resolution passed, title was approved, and S. J. R. No. 16 was ordered returned to the Senate.

Bradford moved that all rules of the house interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that House Bill No. 463 be read the first and second times by title and the third time at length, section by section, and be put upon its final passage.

Seconded by Bell.

The question being on the suspension of the rules, roll was called with the following result:

Ayes—Bell, Berry, Black, Bower, Bradford, Bradley, Elmers, Farmin, Featherstone, Harmer, Hendricks, Hyde, Jayne, Jones, Leaf, Nielsen, Sanborn, Smith, Taylor, Warnick, Mr. Speaker.

Nays—Alfred, Dunning, Eckles, Friend, Glennon, Hutton, Jacobs, Kerby, Morgan, Nelson, Nihart, Parker, Sorenson, Stephens, Strode, Terrell, Walker, Wilson, Wood.

Total number of votes, 40. Ayes, 21. Nays, 19. Absent, not voting, 19.

And so the rules were not suspended.

Report of Enrolling Committee.

Mr. Speaker:

We, your Committee on Enrolled Bills, beg to report House Bills Nos. 452, 361, 231, 109, 421, 371, 331, 350, 283, 419, 400, 456, 402, 245, 94, 376, H. J. M. No. 11, H. B. No. 189, correctly enrolled.

GLENNON,

Chairman.

House Bills Signed by the Speaker.

Speaker, in the presence of the House, signed the following House Bills:

House Bills Nos. 452, 361, 231, 109, 421, 371, 331, 350, 283, 419, 400, 456, 402, 245, 94, 376 and 189, and House Joint Memorial No. 11.

Messages From the Senate.

Mr. Speaker:

I have the honor to inform you that the Senate having had under consideration the request of the House for the return of S. B. No. 160, has voted to not recall the bill from the Enrolling Committee and return it to the House.

CHARLES J. LISLE,

Assistant Secretary of Senate.

Mr. Speaker:

I have the honor to transmit herewith H. B. Nos. 22, 461, 465, 458, 370, 217, 317, 380, 453, 460 and 439, which have passed the Senate.

Also I have the honor to inform you that the Senate has concurred in House amendments to S. J. R. No. 16 and has passed the resolution as so amended.

CHARLES J. LISLE,

Assistant Secretary of Senate.

Motions and Resolutions.

Black moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that House Bill No. 460 be read the first and second times by title and the third time at length, section by section, and be put upon its final passage.

Seconded by Johnston.

The question being on the suspension of the rules roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Davis, Dunning, Eckles, Eimers, Farnmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hammer, Helleson, Hendricks, Hill, Hutton, Hyde, Jacobs, Jayne, Jensen, Johnston, Johnston, Jones, Kerby, Leaf, Morgan, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 55. Ayes, 55. Nays, none. Absent, not voting, 4.

And so the rules were suspended.

HOUSE BILL NO. 460 was read first and second times by title.

HOUSE BILL NO. 460, BY JUDICIARY COMMITTEE, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Baldrige, Bell, Black, Bower, Bradford, Bradley, Burrell, Davis, Dunning, Eckles, Eimers, Farnmin, Featherstone, Friend, Hammer, Hendricks, Hill, Hutton, Hyde, Jacobs, Jayne, Johnston, Johnston, Jones, Kerby, Nelson, Nielsen, Nihart, Oakes, Parker, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 44. Ayes, 44. Nays, none. Absent, not voting, 15.

And so the bill passed, title was approved, and House Bill No. 460 was ordered transmitted to the Senate.

Terrell moved that the House go into Committee of the Whole for the consideration of House Bill No. 464.

Seconded by Eimers.

Motion carried.

House In Committee of the Whole.

House then resolved itself into Committee of the Whole, with Black in the chair.

House in Regular Session.

The Committee of the Whole submitted the following report:
Mr. Speaker:

The Committee of the Whole has had under consideration House Bill No. 464, and recommends that it be amended as follows:

That the item of \$12,500 in the appropriation for the Secretary of State be changed to \$16,500; and the item of \$4,000 be changed to \$2,000; and the item of \$2,000 be changed to \$3,000, and the following item be added:

"For publishing Digest of Laws passed by the Eleventh

Session" \$5,000 00

That the item of \$30,000 in the appropriation for Commissioner of

Immigration be changed to \$20,000; and in the same paragraph, after the words "expenses in mailing same" insert the words "and necessary traveling expenses."

That the item of \$5,000 in the appropriation for the State Engineer be changed to \$10,000; and that the item of \$1,500 be changed to \$2,000.

That the item of \$6,600 in the appropriation for Water Commissioners be changed to \$12,000.

That the item of \$50,000 in the appropriation for the Adjutant General be changed to \$45,000; and amend the second appropriation by making it read, "Tentage of cadets at the University of Idaho," instead of "Tentage of cadets at the Moscow University."

That the item of \$3,500 in the appropriation for the Insurance Commissioner be changed to \$6,600.

That the item of \$4,800 in the appropriation for State Bank Examiner be changed to \$8,000; and amend the second appropriation by changing \$3,600 to \$9,600; and in same appropriation, strike out the word "the" before "deputy" and insert the word "two" and change the word "examiner" to "examiners;" change the item \$2,600 to \$6,000, and "deputy" to "deputies;" change the item \$2,400 to \$3,200.

That the item of \$2,000 in the appropriation for the State Board of Equalization be changed to \$5,000.

That the appropriation for the State Board of Health be amended by adding the following item:

For installing and maintaining hygienic laboratory and expenses incident thereto\$7,000 00

That the item of \$6,000 for the relief of George H. Stewart, in the appropriation for the Judicial Department, be changed to \$10,000.

That the item of \$13,000 in the appropriation for the University of Idaho be changed to \$48,000.

That the item of \$35,000 in the appropriation for the College of Agriculture be changed to \$50,000.

That the item of \$81,380 in the appropriation for the Academy of Idaho be changed to \$82,580; and the item of \$15,800 be changed to \$20,000; and the item of \$42,800 be changed to \$50,000.

That the item of \$30,000 in the appropriation for the Idaho Soldiers' Home be changed to \$35,000.

That the item of \$29,870.95 in the appropriation for the Lewiston State Normal be changed to \$42,000.

That the item of \$30,806 in the appropriation for the Albion State Normal be changed to \$42,507.68.

That the item of \$72,070 in the appropriation for the Deaf, Dumb and Blind School be changed to \$84,770.72.

That the item of \$2,680 in the appropriation for the relief of Peat Parker and J. C. Pinger be changed to \$2,000.

Add to Section 1 the following:

To provide for painting portraits of the Governors of the Territory and State of Idaho, as provided in Senate Bill No. 170\$ 2,500 00

For the relief of the Citizens' Committee of Mackay, Idaho, as per House Bill No. 6..... 577 20

For the purchase of the Heyburn toll bridge, as per House Bill No. 247 2,671 16

For expenses of Legislative Investigating Committee, as per House Bill No. 387 7,500 00

For payment of National Guard for services in 1907 and 1908, as per House Bill No. 392 10,353 39

For the relief of F. A. Blackwell, as per House Bill No. 77.. 615 15

For the relief of W. T. Carter, as per House Bill No. 388.. 38 50

For the relief of F. M. Pettys, as per House Bill No. 389.... 44 00

For the relief of Mrs. A. L. George, as per House Bill No. 390 123 50
 For the relief of Grant, Smith, Henry and McFee, as per House Bill No. 391 191 28
 Strike out Section 3 and renumber the following sections to correspond.

And as thus amended the bill do pass.

BLACK,
 Chairman.

Black moved the adoption of the report of the Committee of the Whole.

Seconded by Morgan.

Motion carried.

Motions and Resolutions.

Davis moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that amendments to House Bill No. 464 be read the first and second times, and H. B. 464 as amended be read third time at length, section by section, and be put upon its final passage.

Seconded by Morgan

The question being on the suspension of the rules, roll was called with the following result:

Ayes—Allred, Arthur, Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Davis, Dunning, Eckles, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, Nelson, Nielsen, Nohart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 55. Ayes, 55. Nays, none. Absent, not voting, 4.

And so the rules were suspended and amendments to House Bill No. 464 were read first and second times

HOUSE BILL NO. 464, BY APPROPRIATIONS COMMITTEE, read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Baldrige, Bell, Berry, Black, Bower, Bradford, Bradley, Davis, Dunning, Eckles, Eimers, Farmin, Featherstone, Friend, Galloway, Glennon, Hanmer, Hellekson, Hendricks, Hutton, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Morgan, Nielsen, Nihart, Oakes, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—Allred, Arthur, Sanborn.

Total number of votes, 44. Ayes, 41. Nays, 3. Absent, not voting, 15.

And so the bill passed, title was approved, and House Bill No. 464 was ordered transmitted to the Senate.

Morgan offered the following Resolution and moved its adoption:
 To Honorable James H. Hawley,

Governor of the State of Idaho:

Whereas, The House of Representatives has passed Senate Bill No. 160, by Haight, providing that it shall be lawful to take up certain non-marked and non-branded animals upon the public range within the State of Idaho, and to sell the same as estrays, and

Whereas, Since said bill was so passed, the House of Representatives has become and is convinced that said Senate Bill No. 160 should not have been passed and should not become law, and

Whereas, The House of Representatives has today requested the Senate to return said bill, so that the vote by which it was passed might be reconsidered and rescinded, but to return which the Senate has refused and still refuses,

Now, therefore, The House of Representatives petitions that said bill be by the Governor disapproved.

Motion seconded by Hutton.

Motion carried.

Galloway moved that all record of action taken on House Bill No. 151 on March 3d, be expunged from the Journal.

Seconded by Johnston.

Motion carried.

Galloway then moved that House go into Committee of the Whole for the purpose of amending House Bill No. 151.

Seconded by Morgan.

Motion carried.

House In Committee of the Whole.

House resolved itself into Committee of the Whole for the purpose of amending House Bill No. 151, Black in the Chair.

House In Regular Session.

The Committee of the Whole submitted the following report:

Mr. Speaker:

The Committee of the Whole has had under consideration House Bill No. 151 and recommend that it be amended as follows:

That in line 4 of the title, preceding the word "corporations," the word "express" be inserted. That the words "telephone companies or corporations, and telegraph companies or corporations," be stricken from lines 4 and 5 of the title; also the comma following the word "corporations," at the beginning of line 4. That in lines 9 and 10 of the title the words, "a telephone company and a telegraph company," be stricken out; also the comma following the words, "express company," in line 9 of the said title. That in line 1, Section 1, before the word "corporations," the word "express" be inserted.

That following the word "State," in line 3, Section 1, and continuing through and including the word "State," in line 7, be stricken out. Beginning with the word "that," at the end of line 5, Section 3, and continuing through line 11 of the same section, be stricken out, and as thus amended the bill do pass.

BLACK,

Chairman.

Black moved the adoption of the report of the Committee of the Whole.

Seconded by Eimers.

Motion carried.

Galloway moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that amendments to House Bill No. 151 be read the first and second times and House Bill No. 151, as amended, be read the third time at length, section by section, and be put upon its final passage.

Seconded by Warnick.

The question being on the suspension of the rules, roll was called with the following result:

Ayes—Allred, Arthur, Baldridge, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Ceaser, Davis, Dunning, Eckles, Eimers, Farmin, Featherstone, Friend, Galloway, Gibson, Glennon, Hanmer, Hellekson, Hendricks, Hill, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, Leaf, Morgan, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 55. Ayes, 55. Nays, none. Absent, not voting, 4.

And so the rules were suspended and amendments were read first and second times.

HOUSE BILL NO. 151, by Galloway, was then read first and second times by title and third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldridge, Bell, Berry, Black, Bower, Bradford, Bradley, Burrell, Davis, Dunning, Eckles, Farmin, Featherston, Friend, Galloway, Glennon, Hanmer, Hellekson, Hendricks, Hutton, Hyde, Jacobs, Jayne, Jenson, Johnson, Johnston, Jones, Kerby, McCabe, Nelson, Nielsen, Nihart, Oakes, Parker, Pincock, Sanborn, Smith, Sorenson, Stephens, Strode, Taylor, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 50. Ayes, 50. Nays, none. Absent, not voting, 9.

And so the bill passed, title was approved, and House Bill No. 151 was ordered transmitted to the Senate.

Senate Bills Signed by the Speaker.

Speaker in the presence of the House signed the following Senate Bills:

Senate Bill No. 116.

Senate Joint Resolution No. 16.

Message from the Senate.

Mr. Speaker:

I have the honor to transmit herewith House Bill No. 464, as amended in the Senate, which passed the Senate.

CHARLES J. LISLE,

Assistant Secretary of Senate.

Senate amendments to House Bill No. 464 were then read.

Morgan moved that House do not concur in the amendments of the Senate to the bill.

Seconded by Baldridge.

Motion carried.

Morgan moved that the Speaker appoint three members from the House to act with the Senate as a conference committee on Senate amendments to House Bill No. 464.

Seconded by Davis.

Motion carried.

Speaker appointed as said conference committee: Representatives Warnick, Wood and Farmin.

Nihart moved that the conference members of the House be instructed that the conference agreement regarding H. B. No. 464 be in conformity with the remarks of Representative Morgan.

Seconded by Berry.

Motion carried.

Davis submitted to the House the reports of the Special Investigating Committee appointed under the provisions of House Concurrent Resolution No. 2.

Davis moved that this report be made a part of the Journal record.

Motion seconded by Black.

Motion carried.

Report of Special Investigating Committee.

To the President of the Senate and the Speaker of the House of Representatives:

Gentlemen—

We, your committee appointed under the provisions of House Concurrent Resolution No. 2 to investigate such charges as might be filed against State Officials and employees holding office during preceding administrations, beg leave to submit the following report:

Under the terms of the resolution, the filing of charges was limited to the Governor or members of the Legislature, and the following charges were filed by the members of the Legislature named herein:

1. A charge against the Gooding Land Board with reference to the sale of certain lands to the Washington Water Power Company, filed by Senators Kerns and Macbeth.

2. Various charges against the Brady Land Board in connection with the construction of the Mackay dam, filed by Senator Macbeth.

3. Charges against former Superintendent of Public Instruction Miss S. Belle Chamberlain, and Miss May Scott, in connection with the sale of certain lands by them to the Payette Lumber Company, filed by Representative Kerby.

4. Charges against the Brady Land Board in connection with the lease of certain lands in Fremont County, filed by Representative Hutton.

5. Charges against former Governor Gooding in connection with the Carey Act opening of certain lands on the Emmett Bench, filed by Representative Hutton.

In addition to the foregoing, there were certain charges filed by Representative Hutton against certain members of the present and preceding Land Boards in the matter of the acquisition by them during their term of office of Carey Act lands.

This last named charge was not investigated by the Committee for the reason that no one appeared to press or present the charge, and for the further reason that it appeared to the Committee that the only question involved in this matter was the question of the legality of the transaction by which these lands were acquired. The ownership or acquisition of the lands being admitted, and there being no evidence to show that this acquisition was in any way tinged with graft or corruption, it appeared to the Committee that the single question of the legality of the transaction by which these lands were acquired was a question for the courts rather than for your investigating committee to determine.

Case I.

In the matter of the sale of certain lands belonging to the State, in this case the charge is in substance that the Governor and Register of the State of Idaho in December, 1903, without authority of law, and in violation of the terms of the Idaho Admission Bill, and the Constitution of the State of Idaho, executed and delivered to the Washington Water Power Company, a foreign corporation, 574.06 acres of State lands at less than \$6.00 per acre.

We find from the evidence that on November 12, 1908, the Washington Water Power Company forwarded to M. I. Church, Register of the Land Board, a check for \$3,427.95, for a perpetual easement to overflow, back and hold water upon portions of Sections 16 and 36, Townships 48 and 49, Ranges 2, 3 and 4 West, Boise Meridian, belonging to the State.

A brief statement of the facts as established in evidence is as follows:

The land in question was desired by the Washington Water Power Company for reservoir purposes in connection with a dam constructed by them for power purposes. The land had been appraised in part at least, prior to its transfer, to the company named and at prices ranging from two and one-half to fifteen dollars an acre. The contract by which this transfer was made recites that a perpetual easement is transferred to the company, the fee in the lands remaining in the State. The price realized by the State for this so called perpetual easement was the appraised value of the lands. It was testified by the Attorney General, who was a member of the Land Board at this particular time, that in his opinion, and he so advised Governor Gooding, the Washington Water Power Company could have condemned this land in the courts by right of eminent domain and by this process have acquired an absolute right and title thereto. There was no evidence that these lands had been applied for by other parties but the evidence did show that much if not the greater part of these lands had little if any value except for reservoir purposes.

As a conclusion in this case the committee reports that it does not feel called upon to pass upon the question of the legality of the contract by which the particular right claimed by the Washington Water Power Company was transferred, or to any other legal question connected therewith such, for instance, as the right to accept for this land less than ten dollars per acre. These are questions which must ultimately be passed upon by the courts and it is understood that cases are now pending in the Supreme Court which will fully determine the questions involved, and, if the contract is rescinded, the State will not be the loser for the reason that by the terms of the contract itself, the State is now, as it has heretofore been, the owner of the fee for these lands.

The one point to be emphasized in connection with this case is the fact that although the Land Board may have been mistaken as to its power in the matter of granting this perpetual easement, there is no evidence of any nature to indicate that the transaction, in so far as the Land Board was concerned, was in any manner tainted with graft or corruption.

PRESTON,
MITCHELL,
WILLIAMS,
GALLOWAY,
DAVIS,
BLACK,
BALDRIDGE.

Case II.

This case involves what has come to be popularly known throughout the State as the "Mackay Dam Charges." These charges were presented to the Investigating Committee by the Citizens' Committee of Mackay and the committee listened to a very full presentation of the evidence against the Land Board and its individual members. Stated briefly, the citizens of Mackay charged that the members of the Land Board during the administration of ex-Governor Brady were guilty of official misconduct and neglect of duty in that they approved of the location of the dam of the Big Lost River Project upon an unsuitable

and improper dam site; that they allowed the dam to be constructed under improper and inadequate specifications, and that they did not see to it that the dam was constructed according to the specifications as approved.

From the facts as established in evidence, the committee finds that the construction of this particular project had been in contemplation for a considerable time prior to the final making of the contract under which work was finally begun on the present site, located something more than three miles up the valley of the Big Lost River above the town of Mackay. Without reciting at length the details of the contemplated construction, it may be stated that the dam was intended to be constructed so as to impound water to a depth of one hundred ten feet and that the dam as now constructed to the point of which further work was prohibited by the Land Board will not impound water to a greater depth than nineteen or twenty feet. As the work on this dam progressed, the citizens of Mackay appear to have become alarmed for the safety of the town and the lives and property of its citizens because of the fact that, as they believed, the dam was being improperly constructed upon an insecure foundation. This general alarm grew and increased until in July, 1910, the citizens of Mackay employed Mr. J. B. Lippincott, an eminent engineer of Los Angeles, California, to examine and report upon this construction with special reference to its safety in case it should be finally completed along the lines that had been begun and under the specifications that had been accepted by the Land Board. Mr. Lippincott reported adversely upon the safety of the dam as contemplated and in due time this report was communicated to the Governor as President of the Land Board. The Lippincott investigation was quickly followed by a similar investigation made by a board of engineers appointed by the Land Board in conjunction with the Citizens' Committee of Mackay and the report of this board corroborated the report of Mr. Lippincott. As a result of these investigations and the facts which were thus brought to the attention of the Land Board, further work on the Mackay dam was suspended and remains suspended until the present time. Not being satisfied with the safety of the dam as at present constructed, and in the condition in which it was at the time work was suspended thereon, the citizens of Mackay then demanded and are still demanding that an adequate spillway be constructed at the present height of the dam in order to care for and control the flood of waters of the river.

The necessity of this spillway seems to have been conceded by Governor Brady, as a member of the Land Board, and promises were made by him to the citizens of Mackay that it would be constructed as soon as possible. At the time of making these promises, Mr. Brady seems to have been under the impression that the cost of this construction could be met out of the Carey Act funds of the State, but he later learned that such use of these funds would not be legal and he was forced to wait until the necessary appropriation could be made by the Legislature. The sum of ten thousand dollars has been so appropriated, and it is understood that the spillway is to be constructed as soon as possible and in time to care for the spring floods.

With reference to the construction of this spillway, an unfortunate misunderstanding arose between the citizens of Mackay and the Land Board. Because the spillway was not at once constructed the people of Mackay seem to have believed that the Land Board was negligent in the performance of its duty, even if not guilty of culpable misconduct in office. The fact that the spillway could not be constructed out of any funds then under the control of the Land Board, but that the matter would of necessity have to wait for the action of the Legisla-

ture, does not seem to have been made entirely clear to the people of Mackay, and on the other hand the actions, attitude and conduct of these same citizens would lend color to the conclusion that, in their opinion, the Governor and the Land Board had nothing else to do at this particular time than to attend to the matter of this particular dam. The fact that the Land Board at this time had something like forty or more other Carey Act projects under its supervision, in addition to multifarious duties on other boards and in other capacities, seems to have entirely escaped the good citizens of Mackay, who were intent only on their own business and, as they believed, their own safety.

If this misunderstanding had been avoided, the committee believes that much of the crimination and recrimination that has been indulged in in this matter would have appeared as unnecessary even to the parties from whom it has sprung.

The committee does not feel competent nor called upon to express any opinion as to the engineering questions involved in this affair. The feasibility of the project, the adequacy of the specifications, the possibility of future staple construction on the present site, are all questions which must be settled by trained engineers and not by laymen. Neither do we believe that important as these questions undoubtedly are, they are as important to the people of the State of Idaho as the question as to whether or not the trusted servants of the people have been derelict in the performance of the duty imposed upon them. In order to pass upon this question it is necessary to examine somewhat the law under which the Land Board operates in the performance of its duty in the matter of its supervision of Carey Act projects. It seems to have been the purpose of the law under which these projects were managed to allow the construction companies the widest possible latitude in the building of their diversion and reclamation systems. In order to finance one of these large projects, an immense amount of money has to be raised by the sale of bonds, and the companies, because of the fact that before water is actually delivered can collect from the settlers only a small fraction of the cost of the work, and because of the further fact that before the completed work can be turned over to the State or to the settlers under the project it must be demonstrated that the works have been successfully constructed, usually only rely upon the advice of the highest priced and most experienced engineers of the country. For these reasons it may be that these companies would be loath to engage in such costly construction if the Land Board were given too much power in the way of actually supervising and controlling the work of construction through the medium of such men as the State can secure for its service by the small salaries that the law allows to be paid. But be this as it may, the fact remains that the law, as presented to the committee by the counsel employed by the committee to conduct this case, seems to have invested the Land Board with but very limited powers along the lines indicated and to have placed upon them limited duties in the matter of actual supervision and control during the period of actual construction, requiring them, however, to pass carefully upon the character of the completed structure before it is turned over to the settlers under the project.

Applying the law and the facts of the case under consideration, the committee finds that the Land Board in this case not only performed its full duty under the law, as the same was presented to the committee, but actually went further than the law required them to do in the way of actual supervision of the work. As an instance in point it might be mentioned that the law does not require the Board to employ inspectors to keep it informed of the progress and character of

the work on these various projects, but that the Board actually did employ such inspectors who were required to submit, for the information of the State Engineer and the Land Board, frequent reports of the progress and character of the work on the Carey Act projects of the State.

If it be contended by the citizens of the State or by the investing public that, notwithstanding these precautions, a mistake was actually made in this project, the committee feels impelled to say that errors of one kind or another are made in all callings and professions, and that, considering the number of these projects in the State, and the immense amount of money that has been expended in their construction, and considering the fact that this is the only project which has not been a complete success, we may well feel fortunate if the engineering mistakes of the future shall be as limited as they have been in the past.

In this connection it might be stated that the members of the Land Board are not engineers, that they are not supposed to have the necessary technical skill and knowledge to enable them to pass upon all the questions that inevitably arise in connection with works of this character, and that they must in consequence depend upon the judgment and reports of others. In this view of the case, if it is shown that the Land Board acted with reasonable diligence on the reports and representations made to them; if they sought to have corrected the various defects that were brought to their attention; if they took necessary and reasonable steps to keep themselves informed of the progress and character of the work; if they finally stopped the work when they learned that it was actually unsafe as it was being constructed, and if there should be no evidence or any intimation even of graft or corruption in the construction of this work, the committee feels that all good citizens must unite with it in its opinion that the charge of malfeasance in office against the Land Board in this case falls to the ground.

All these things and more have been actually shown by the testimony in this case to the credit of the Land Board, and the committee feels that however unfortunate it may be to the State that the construction of this most important project was not a success, and however unfortunate it might prove to be that the honest alarm of the citizens of Mackay led them to publish far and wide the facts of this case as seen by them, it is none the less the conclusion of the committee that the citizens of Mackay were without justification in their contention that the members of the Land Board have been guilty of willful misconduct in office in this matter.

PRESTON,
WILLIAMS,
DAVIS,
BLACK,
BALDRIDGE.

Case III.

In this case it was charged that former State Superintendents of Public Instruction, Miss S. Belle Chamberlain and Miss May Scott, while holding office under the State, improperly acquired each a timber claim which they later sold to the Payette Lumber Company. At the hearing of this case, and in the absence of the parties mentioned, it developed that there was absolutely no evidence to show that the acquisition of these claims was in any way unlawful or that the sale to the Payette Lumber Company was in any way unlawful. The Committee can only report, therefore, in this case that

the charges were wholly unsubstantiated and, so far as the committee was able to learn, wholly unfounded in fact.

PRESTON,
WILLIAMS,
DAVIS,
BLACK,
BALDRIDGE,
MITCHELL,
GALLOWAY.

Case IV.

The case which is commonly referred to as the Fremont County Land Lease case was heard by the Committee, largely upon the records and files in the case and explanations of the present State Land Commissioner.

The charges in this case were to the general effect that the State Land Board had acted improperly in the matter of the leases made of the large State holdings in Fremont County, and that the Board was guilty of discrimination against those who desired to lease this land for agricultural purposes and in favor of certain sheepmen commonly known as the "Big Four."

The evidence brought out at this hearing established the fact that the leases of the land in Fremont County made during the preceding administration resulted in a very largely increased revenue to the school fund of the State for this particular source; that in the leasing of these lands the Board attempted to reserve as much land as would in all probability be required for agricultural purposes; that of the lands thus reserved about four thousand acres has never been applied for; that the remaining portion of the land not leased for agricultural purposes has been leased for grazing purposes at a uniform price of seven and one-half cents per acre; that the contract by which this grazing lease is made provides for the ranging privileges heretofore enjoyed by the settlers in the vicinity of the leased lands; that there was no competition among grazers for the lease of the grazing lands, no dissatisfaction and no protests; that in the leasing of agricultural lands the only question that ever presented itself to the Land Commissioner for adjustment was that of an occasional double application for the lease of some certain legal subdivisions of land; that in such cases, in view of the fact that there was much more land to lease than applied for, the matter was usually settled by allowing the applicants to settle the matter between themselves by arbitration or agreement, with the understanding, however, that, unless they would so settle, the land must be put up at auction and leased to the highest bidder; that, in view of the fact that there was more land to lease than applied for, the only thing necessary to do in case of a double application would be for one of the applicants to make application for other land, and that, as a consequence, it could not be expected that even if put up at auction a bidder would be willing to pay more than the uniform leasing price of fifteen cents per acre.

In the matter of the renewal of the grazing lease, it seems that the matter of the renewal of the lease was taken up with the Land Board in May, 1910, whereas the lease itself did not expire until December. The testimony shows that the Board decided in May that, when the time came in December for the renewal of the lease, the renewal would be made if conditions remained the same and if no objections thereto should arise in the meantime. The minutes of the Board made at this time read, however, as though the lease were actually decided on and made at this time, whereas the testimony of the Board is to the effect that the lease could not have been made at this time nor before the old lease expired in December. The

minutes of the Board at its December meeting corroborates this testimony and shows that at this time the matter of the renewal of the lease was taken up and that the Board deliberated upon it for a part of two days. It may be of interest to note that under the law the lessees had a prior right of thirty days to a renewal of these leases, and that no one suffered by such renewal. This point is further emphasized by the fact that there has never been any objection or any complaint by any rival grazers over the renewal of these leases.

In view of these and other facts of a similar nature that the Committee sees no necessity of setting out in full, we report in this case that, not only is there no evidence to establish malfeasance in office in connection with these leases, but, on the other hand, the Committee feels that the Board—and especially the State Land Commissioner—may well feel proud of the administration of these lands in a manner which has brought such splendid revenue to the school funds of the State.

PRESTON,
WILLIAMS,
DAVIS,
BLACK,
BALDRIDGE.

Case V.

In this case it was charged that Former Governor Frank R. Gooding was guilty of misconduct and favoritism in office in the matter of the Carey Act opening of the Emmett Bench lands. From facts brought out in the evidence before the Committee, it was shown that this Carey Act opening occurred in May, 1905, following the January in which Mr. Gooding assumed office as Governor, and that the contract between the State and the Government for the segregation of the Emmett Bench lands, under the provisions of the Carey Act was entered into during the administration of Governor Frank W. Hunt. The contract between the State and the company, which was afterwards headed by ex-Governor Hunt, was entered into during the administration of former Governor Morrison. All that was left for Mr. Gooding to do, therefore, was to enforce or carry out contracts that had been previously entered into and to advertise the opening of the Emmett Bench lands.

It was the understanding of Governor Gooding that there was to be a drawing for the sale of the water contracts and that the contracts should be disposed of to the applicants according to the priority of the application as determined by this drawing. It finally developed that the company did not desire to hold a drawing and that its contract with the State was worded in such form that a drawing could not be enforced. When this fact was made known to Governor Gooding, by his Attorney General, the drawing was not insisted upon but the company did give the assurance that the sale of the water rights would be strictly in accordance with priority of application. There seems to be no reasonable doubt that the sale of these water contracts was not in accordance with the priority of application. The responsibility for this lies not with Governor Gooding or the Land Board, but with the water company that sold the contracts. It may be argued that, even though the Land Board did not have authority in this particular case to enforce a drawing, it still had authority to see, and was charged with the responsibility of seeing, that the water contracts were sold in accordance with priority of application. It requires but little generosity, however, to admit that a person has a clearer view of an event that has passed than he has while it is still in prospect. And, since the matter of the Carey Act opening was a new thing in this State at that time, and

since it was the first opening which this particular Land Board had to deal with, it can not be held against the members of the Board that they did not supervise this particular opening as carefully as they did those which came after it. The contracts entered into between the State and the various companies were improved from time to time, and it must be stated to the credit of Mr. Gooding and his Land Board that this was the only opening held during his administration in which a drawing and priority of rights in accordance therewith was not insisted upon. In the very next contract which was made with a Carey Act company, it was especially provided that the priority of rights should be determined by an actual drawing, and this same provision has been inserted in all subsequent contracts of this nature. The matter of drawing was insisted upon by Governor Gooding until he was convinced that it could not be enforced, and, in general, it may be stated that he performed all his duties in connection with this matter to the best of his understanding and ability. There is no evidence whatever that this contract was in any way tainted with graft or corruption of any kind on the part of the Land Board, and the worst that can be honestly said of it is that Governor Gooding and the Land Board probably made a mistake due to unfamiliarity with such matters in not having this particular opening supervised and reported to them by an agent appointed by the Land Board for this purpose.

In so far as the charge relates to the acquisition of Carey Act land by the Secretary or the Governor or any other employe or attache of the State, the remarks heretofore made with reference to the same subject apply with equal force here and the Committee does not feel called upon to pass upon any question which has to do with the legality of such holdings.

The propriety of the advice given by Governor Gooding to his secretary, as admitted by him, to obtain land under the opening may be open to question, but as to this the Committee does not feel called upon to express an opinion

PRESTON,
WILLIAMS,
DAVIS,
BLACK,
BALDRIDGE.

In conclusion your Committee feels that this investigation was rendered necessary by the uncertainty which prevailed in regard to the matters brought under investigation, and because of the fact that the financial interests and national welfare of the State were so directly affected. Regrettable as has been any mistake or oversight on the part of anyone elected and in office in this State, we yet feel and so represent to the people of Idaho and of the country generally that our investigation has revealed no evidence whatever of criminal misconduct in the performance of official duties on the part of any official of the State. It is perhaps unfortunate that the administration of the principal business of the State should have been so brought into the arena of public controversy as to make it appear that mistakes of judgment or lack of attention to duty, which are matters of legitimate comment and criticism, have amounted to criminal misconduct in office. For this reason we feel it our duty to publish to the people of the State and to advertise the fact as widely as possible that our investigations have absolutely and wholly failed to show any graft or corruption of any kind in the administration of the business affairs of the State. It is our opinion that nothing to which our attention has been called would in any way justify the investing public or those interested in the financial development of the State in losing confidence in Idaho, in its un-

bounded resources or in the good faith and conduct of its people or its public officials.

Respectfully submitted,

PRESTON,
WILLIAMS,
MITCHELL,
DAVIS,
BLACK,
BALDRIDGE.

This committee report was prepared by a sub-committee composed of one member of the majority and one member of the minority, and the report as finally submitted to the full committee was the result of their joint labors. If it is less sweeping in the way of a vindication than the evidence fully justifies, and if it fails to comment in any way on the motives which inspired the circulation of these charges or their presentation to the Committee, it is only because the Committee tried to be eminently fair to all concerned and to submit a report which could and should have been signed by every member of the Committee.

For a full verification of this statement, the people of the State are referred to the report of the meetings and particularly to the report of the meeting of the full committee which was held for the purpose of passing upon the report of the sub-committee above mentioned.

PRESTON,
WILLIAMS,
DAVIS,
BLACK,
BALDRIDGE.

Minority Report.

To the President of the Senate and the Speaker of the House of Representatives of the State of Idaho:

We, the minority members of the committee, appointed under the provisions of House Concurrent Resolution No. 2 for the purpose of investigating any charges against the public officials of this State, beg leave to submit the following minority report:

The first charge investigated was that preferred against ex-Governor Frank R. Gooding and ex-Register M. I. Church in regard to the granting of a perpetual easement to certain lands in Kootenai County to the Washington Water Power Company.

We concur in the statement of facts as set forth in the majority report, and we also deem it wise that this committee do not make any comment upon the legality of the agreement for a perpetual easement entered into by the defendants and the Washington Water Power Company, except that we would recommend that the Attorney General be directed to bring suit to set aside this agreement and to recover damages for the injury to the land by reason of the overflow, in case the Supreme Court of this State decides adversely to the Washington Water Power Company in a similar case now pending.

We further recommend, in the event that the case referred to is decided in favor of the Washington Water Power Company, then a deed conveying an estate in fee simple be executed in order that this land may be legally taxed.

Since no charges of graft or corruption have been made, we deem it unnecessary to make any comment in that regard.

II. Mackay Dam Charges—In regard to this charge, we are unable to agree in full with the majority report and beg leave to submit the following:

In this case, the Brady Land Board was charged with official misconduct and neglect of duty in the matter of the construction of the Mackay Dam.

The reports of J. R. Lippencott, one of the most eminent hydraulic engineers in the United States, who was directed to investigate the Mackay Dam on behalf of the citizens of Mackay, and J. H. Quinton, D. G. Martin and A. J. Wiley, who made a similar investigation on behalf of the Land Board, prove that the plans and specifications accepted by the Land Board, and James Stephenson, Jr., are incomplete, indefinite, contradictory and erroneous, and that specifications relating to the formation of the dam are inapplicable to the material of which this dam is composed; that the attempt to found a dam expected to retain water to a maximum depth of 115 feet on anything but a sure foundation is a hazardous experiment.

G. W. Fell, Carey Act Inspector, in a report dated April 2, 1910, states that the concrete which lined the upper part of the dam was not according to plans and specifications, and that he included in the same report a profile map of the strata underneath the dam. This report was submitted April 20, 1910, to the Land Board by the State Engineer with the recommendation that some changes be made in the construction. Whereupon, the Register was directed to notify James Stephenson, Junior, engineer for said company, that work should discontinue if the plans and specifications hereto approved, were not complied with.

State Engineer Martin wrote to the Board April 27, 1910, that he had talked with Stephenson, who asked: "That the work be allowed to proceed, as a cessation at this particular time would mean a great deal to the Company, etc." The Board thereupon decided to allow the work to continue.

A short time after this, State Engineer Martin was requested by the citizens of Mackay to investigate the conditions of the dam. This he declined to do upon the grounds that the plans and specifications had been approved by a former State Engineer, and he considered it improper for him to make the investigation. The citizens of Mackay then, acting upon his advice, obtained the services of J. B. Lippencott, who examined the dam and made a report upon the same. This report, at the request of Mr. Martin, was submitted to ex-Governor James H. Brady. Thereupon, the land Board appointed a board of three engineers to make a further examination at this time, which examination resulted in the work being shut down and the fears of the people of Mackay being intensified.

They requested that a large spillway be constructed in the dam to carry off the flood waters of 1911, and so insure them of safety.

Ex-Governor Brady, while in Mackay, promised to the citizens that this would be done if it was within his power to do so. On his return to Boise he ascertained that no funds were available for such purpose but never notified the citizens of Mackay to that effect.

This is a brief statement of the facts, as submitted.

Thereupon Judge Richards, who had been retained in the capacity of legal advisor to the committee, after consultation with Attorney General McDougal, stated that the Land Board, under the law, had nothing to do with the construction of the dam but that their duty was confined wholly to the approval of the plans and specifications and to the acceptance of the dam upon completion; but with this opinion we cannot agree from a moral or legal standpoint.

We believe that every public official has to perform not only the duties provided by law but also those other duties which attach to the office he occupies. The average citizen calls these "moral

obligations" and has a right to expect that the officials who represent him will fulfill them.

In the particular case at hand, the Brady Land Board being a party to a contract with the Big Lost River Irrigation Company, which provided that the company should construct the dam according to certain plans and specifications, should have seen to it that the dam was so constructed. The interests of the people under the project, and in fact, of the entire State demanded that the dam be built in such a manner that the lives and property of the citizens of Mackay might not be endangered. We hold that the members of the Brady Land Board were the officials upon whom this duty properly rested. And we further find that this board did accept the obligation, but failed to perform the duties under it.

Governor Brady, in a letter to A. L. Fowler of Mackay, Idaho, dated July 29, 1910, states: "But the board finds that it is held entirely responsible to the people of southern Idaho, and your immediate section for the faithful performance of their duty under the oath of office taken when they were elected; that they were further responsible for the faithful performance of this particular contract; for the action of the representatives of the State in the Engineer's department, and in fact, for each and every circumstance incident to the construction of the irrigation works of the Big Lost River Company. In other words, when the works are completed, and they are found to be in good shape, the Land Board should receive due credit for enforcing the performance of the State's contract. If this contract is broken, the Land Board will receive blame in the same degree."

And, further, in a letter dated September 29, 1910, to George H. Gagon, who was appointed inspector, ex-Governor Brady stated: "So that you may understand what this position is created for, I wish to say that it is done for the reason that the duties of the Board are so great that we feel that it is best to have a competent and trustworthy man in charge of this particular segregation, and we will have to depend upon you to look up the information and lay the matter before the Board in a manner so that we can act promptly and intelligently in all matters that may come before us."

In addition to these written admissions of the Land Board that they were bound by certain obligations other than those imposed by the law, their official acts lead us to the same conclusion.

The evidence shows that during April, 1910, the Board threatened to suspend operations upon the Mackay dam unless it was properly constructed, and that finally, after the receipt of the Lippincott and Land Board Committee report, they did actually discontinue this construction work. Also the fact that they employed Carey Act inspectors to keep the Board informed of the construction work, indicates that this was their duty.

In conclusion, we conclude therefore, that the charges as herein stated, are sustained, and that the defendants are guilty of carelessness and neglect of duty.

III.—Chamberlain-Scott Charges.

In this case we again concur in the majority report that there was no evidence submitted and the charges were not sustained.

IV.—Fremont County Land Leases.

In this case we do not agree with the majority report.

We find from the evidence which was submitted to us that in December, 1904, the Fremont Grazing Association, comprising Smart and Webster, Hunt Brothers, Garn & Sons, Austin Brothers, L. C. Rice, Huskison Brothers, Adkinson Brothers, Johnston-Severson Company and Laird & Sons, leased certain school lands in Fremont

County for grazing purposes; that in May 13, 1909, J. W. Webster appeared before the Land Board and the following resolution was made by the Land Board on page 300 of the records of the Land Board, which is as follows:

"Boise, Idaho, May 13, 1909.—The State Board of Land Commissioners of the State of Idaho met this day pursuant to the call of the President. Present: J. H. Brady, Governor and President, R. Lamedon, Secretary of State, D. C. McDougall, Attorney General, S. Belle Chamberlain, Superintendent of Public Instruction, M. I. Church, Register. Whereupon the following proceedings were had, to-wit: (Among other things). Mr. J. W. Webster appeared before the Board in behalf of the Fremont Grazing Association and requested that all the lands now leased by said Association be released at the expiration of their leases, December 31, 1909, at \$1,075 per acre, for a period of five years, and it was ordered that the request be complied with and that the new leases be issued at the expiration of the old. Whereupon, the Board ordered that the lands included in the Johnston-Severson leases be included in the above order."

And the minutes of this meeting were approved at the next subsequent meeting. Several members of the Land Board, however, stated that the foregoing resolution did not express their understanding of this matter. It appears also that several applications were made for portions of this land prior to December 31, 1909; that these several applications were returned to the applicants with the statement that this land was subject to renewal by the former lessees, who should notify the Register of their desire to renew within thirty days next preceding the expiration of the lease.

Section 1577 of the Revised Codes of Idaho provides that:

"When two or more persons apply to lease the same land, then, in such cases, the Register shall, at a stated time, at his office in the Capitol Building, auction off and lease said land to the applicant who will pay the highest annual rental therefor."

We find that, under the provisions of this section, the action of the Board in refusing to consider these other applications was illegal, and contrary to the interests of the applicants and of the State School fund.

It appears from the testimony of Mr. Day that no applications were kept on file providing they were filed a very great length of time prior to the date set by law for granting them. The reason they gave is, there was no place in the Land Office to file such papers. It appears to us that, if due diligence had been exercised, a suitable place for filing such documents could have been provided.

The evidence shows that, in case two or more applications for the same land were made, it would be suggested to the applicants that they arbitrate or decide among themselves as to who would have the land. Such a ruling is against public policy for the reason that it eliminated competition and because it would permit unfaithful officials (if they saw fit) to discriminate between applicants.

In conclusion, we would state that we consider the action of the Land Board, as shown by the minutes of the Board, in practically agreeing to renew certain of these Fremont County leases several months before the time set by law for granting such renewals, to be highly improper. And, from the fact that the favored parties were of the same political belief as the members of the Land Board, we conclude that this agreement was entered into at that time for political purposes.

V.—Emmett Bench Project.

The evidence shows that a contract had been made between the Canyon Canal Company and the State Land Board providing for the

sale of the water rights according to priority of application. At the request of the Canyon Canal Company, the Land Board advertised that the opening under this project would be held May 1, 1905. On the day before the opening the Governor called a meeting of the Land Board for the purpose of compelling the Canyon Canal Company to dispose of these water rights through a drawing by lot. Attorney General J. J. Guheen, after having consulted with Samuel H. Hays in regard to the matter of opening, told ex-Governor Gooding that the Land Board could not compel the Canyon Canal Company to dispose of these lands by lot.

Ex-Governor Gooding testified that the Attorney General advised him that the Land Board could not even supervise this opening. But ex-Attorney General Guheen on the other hand testified that the question of supervision was never considered by the Land Board. It appears that the Land Board did not supervise the opening either by any member in person or by a representative, and that the opening was held in the city of Boise only a short distance from the Capitol Building.

The evidence proves conclusively that the water contracts under this project were not granted according to priority of application. Several men waited in line all night in order to be first when the office opened with their applications, but the first four were told that there were no water rights for them. The eleventh applicant was told to come in the afternoon, and that his application would be accepted, which was done.

The records of the Land Office show that among the first forty applications received are those of the Governor's secretary and State officials and attaches, many of whom were not in the line at the opening.

Attorney General Guheen and ex-Governor Frank R. Gooding testified that it was the duty of the State Land Board to enforce the conditions of the contract entered into by a former Land Board and the Canyon Canal Company, which guaranteed that applications for water rights would be granted according to priority.

The Land Board had knowledge of the fact that the opening was not conducted according to the terms of the contract but made no attempt to right the wrong thus committed.

Therefore, we find that ex-Governor Frank R. Gooding failed to perform the duties of his office and to carry out the obligations attaching to the office of Governor of the State of Idaho.

This ends our report of the investigation of certain of the charges which have been preferred. Owing to the press of duties as legislators, we were unable to consider some of them.

To the outside investor, we state that we are certain that he can safely invest in Carey Act projects and rest assured that he will receive due consideration at the hands of the Land Board. To the present public officials of this State and those yet to come, we advise that they be absolutely certain that all of their official acts are clearly legal, and that they realize that their moral as well as legal obligations demand of them a conscientious regard for all the duties which attach to their particular offices.

To the people, we counsel that they have faith in and respect for their public servants until it is clearly proven that they are unworthy of this confidence.

PERRY W. MITCHELL,
ANGUS P. HUTTON,
J. W. GALLOWAY,

Secretary

Boise, Idaho, March 4, 1911.

Message From the Senate.

Mr. Speaker:

I have the honor to transmit herewith House Bills Nos. 168, 6 and 270, which have passed the Senate.

CHAS. J. LISLE,
Assistant Secretary of Senate.

Report of Conference Committee.

Mr. Speaker and Gentlemen of the House of Representatives:

We, your Conference Committee, appointed to consider matters with a like Conference Committee of the Senate of changing the item of the College of Agriculture in House Bill No. 464 to read fifty thousand dollars (\$50,000), beg leave to report that the Conference Committee of the Senate maintain that they will not recede from the thirty-five thousand dollars (\$35,000) as made in said bill for said college extension work.

We further report that if amendments, submitted by the Senate, to House Bill No. 464 are concurred with, they will recommend for passage resolutions submitted by the House regarding mill tax apportionment.

Respectfully submitted,

WARNICK,
FARMIN,
WOOD.

Davis moved that the House now accept the amendments proposed by the Senate to House Bill No. 464.

Seconded by Parker.

After discussion Warnick moved the previous question

Seconded by Davis.

Carried.

Bower moved a call of the House.

Seconded by Baldrige.

Carried.

Roll call showed all members present except Allred, Ceaser, Crow, Galloway, Gibson, Hill, Holmberg, Jacobs, Jayne, Jenson, Leaf, McCabe, Nelson, Nielsen, Pincock, Sanborn, Sorenson and Taylor.

Moved by Morgan and seconded by Davis that Call be dispensed with.

Motion carried.

The question now being, "Shall the House concur in the Senate amendments to House Bill No. 464, House refused to concur.

Davis moved that a further conference be had on House Bill No. 464 and that two additional members be added to the Conference Committee.

Motion carried.

Moved by Bradley and seconded by Berry that committee be given the same instructions as before.

Motion carried.

Moved by Farmin and seconded by Warnick that the present committee be discharged and that the Speaker appoint a new committee for further conference.

Motion carried, and Speaker appointed Representatives Baldrige, Terrell, Johnston, Glennon and Dunning.

Report of Enrolling Committee.

Mr. Speaker:

We, your Committee on Enrolled Bills beg leave to report House Bills Nos. 156, 429, 403, 150, 420, 287, 387, 349, and House Joint Resolutions Nos. 30 and 24, and House Concurrent Resolution No. 15 correctly enrolled.

GLENNON,
Chairman.

House Bills Signed by the Speaker.

Speaker in the presence of the House signed the following House Bills:

House Bills Nos. 156, 429, 403, 150, 420, 287, 387, 349, and House Joint Resolutions Nos. 30 and 24, and House Concurrent Resolution No. 15.

Report of Conference Committee.

To the Senate and House:

Your Joint Committee on Conference on House Bill No. 464 reports as follows:

That the House concur in the Senate amendments to House Bill No. 464, as follows:

State Bank Examiner.

Change item of \$6,000.00 to \$4,000.00.

State Board of Health.

Cut out the item "For" traveling expenses and per diem of State Board of Health \$5,000.00 and insert in lieu thereof: "For traveling expenses and per diem of the State Board of Health, inspection of State institutions, printing, stationery, stamps and office expenses of the State Chemist and Secretary of State Board of Health, \$5,000.00."

University.

Change item of \$48,000.00 to \$13,000.00.

Academy of Idaho.

Change item of \$82,580.00 to \$81,380.00.

Change item of \$20,000.00 to \$15,800.00.

Change item of \$50,000.00 to \$42,800.00.

Leaviston Normal.

Change item of \$42,000.00 to \$29,870.95.

Albion Normal.

Change item of \$42,507.68 to \$30,806.00.

Deaf and Blind School.

Change item of \$84,770.72 to \$72,070.00.

Miscellaneous.

Strike out the item "For the protection of Carey Act projects as per H. B. No. 20, \$12,000.00. Add the following: "For the relief of H. H. McAdams as per H. B. No. 34, \$1,359.00."

Section 6, lines 5 and 6, strike out the words "except that they have been authorized by the State Board of Examiners to do so."

That the following words be added to Section 1: "That the amounts specifically appropriated for stated purposes by this Act constitute the whole amount appropriated and to be used for any purposes during the years 1911 and 1912, irrespective of the provisions of House Bills Nos. 196, 355, 396, 358 and 436."

We further recommend the adoption of the resolution submitted by the House. We further report that the Senate accedes to the increase of the appropriation of \$35,000 to \$50,000 for the College of Agriculture.

CONFERENCE COMMITTEE,

By BALDRIDGE.

Moved by Davis that the report of the Special Conference Committee on House Bill No. 464, be adopted.

Seconded by Smith.

Motion carried.

Report of Committee on Printing.

Mr. Speaker:

Your Committee on Printing report that we have had correctly printed House amendments to Senate amendments to House Bill No. 464.

JONES,
Chairman.

Report received.

Davis moved that all rules of the House interfering with the immediate passage of bills be suspended; that the portions of Section 15 of Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days, be dispensed with, this being a case of urgency, and that House amendments to Senate amendments to House Bill No. 464 be read the first and second times, and House Bill No. 464, as amended, be read the third time at length, section by section, and be put upon its final passage

Seconded by Baldrige.

The question being on the suspension of the rules, roll was called with the following result:

Ayes—Arthur, Baldrige, Bell, Berry, Bower, Bradford, Bradley, Burrell, Davis, Dunning, Eckles, Elmers, Farmin, Featherstone, Friend, Glennon, Hanmer, Hellekson, Hendricks, Hutton, Hyde, Johnston, Johnston, Jones, Kerby, Morgan, Nihart, Oakes, Parker, Smith, Sorenson, Stephens, Strode, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 40. Ayes, 40. Nays, none. Absent, not voting, 19.

And so the rules were suspended, and House amendments to Senate amendments to House Bill No. 464 were read first and second times.

HOUSE BILL NO. 464, BY APPROPRIATIONS COMMITTEE, was then read a third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result.

Ayes—Arthur, Baldrige, Bell, Berry, Bower, Bradford, Bradley, Burrell, Davis, Dunning, Eckles, Elmers, Farmin, Featherstone, Friend, Glennon, Hanmer, Hellekson, Hendricks, Hutton, Hyde, Johnston, Johnston, Jones, Kerby, Morgan, Nihart, Oakes, Parker, Smith, Sorenson, Stephens, Strode, Terrell, Thompson, Walker, Warnick, Wilson, Wood, Mr. Speaker.

Nays—None.

Total number of votes, 40. Ayes, 40. Nays, none. Absent, not voting, 19.

And so the bill passed, title was approved, and House Bill No. 464 was ordered transmitted to the Senate

Terrell submitted the following Concurrent Resolution and moved its adoption.

H. C. R. NO. 16, BY TERRELL.

Be it resolved by the House of Representatives, the Senate concurring, That, whereas, at the Eleventh Session of the Legislature of the State of Idaho, the House of Representatives and the Senate passed House Bills Nos. 196, 355, 396, 358, and 436, respectively, providing for the appropriation of fixed amounts based upon a mill tax, for the support, maintenance and other purposes of the University of Idaho, the Academy of Idaho, the Lewiston Normal School, the Albion Normal School and the School for the Deaf and Dumb and—

Whereas, Said bills were duly approved by the Governor, and—

Whereas, The Appropriation Committee of the House of Represen-

tatives and the Finance Committee of the Senate, acting jointly, have not recommended appropriations for such schools to the amounts authorized by said mill tax bills, and—

Whereas, It is the desire of this Legislature that its action in accepting the recommendations of said committees should not be misunderstood by future sessions of the Legislature;

Therefore, be it resolved by the House of Representatives, The Senate concurring herein, That the failure to appropriate sufficient funds for said purpose is due to lack of funds and to the fact that said House Bills Nos. 196, 355, 396, 358 and 436, have not yet become operative as laws, and that it is not the purpose of either branch of the Legislature to establish a precedent whereby said mill tax bills will be violated when they shall become operative.

Seconded by Hellekson.

Motion carried, resolution adopted and ordered transmitted to the Senate.

Senator Shawhan, as Chairman of Committee from the Senate, announced that the Senate had finished all its business and was about to adjourn.

Message From the Senate.

Mr. Speaker:

I have the honor to transmit herewith House Bill No. 464 and Senate Concurrent Resolution No. 10 which have passed the Senate.

CHAS. J. LISLE,

Assistant Secretary of Senate.

Davis moved that House concur in Senate Concurrent Resolution No. 10.

Seconded by Hellekson.

Motion carried.

Report of Committee on Enrolled Bills.

Mr. Speaker:

We, your Committee on Engrossed and Enrolled Bills, beg to report House Bills Nos. 217, 6, 316, 453, 462, 195, 151, 98, 240, 77, 459, 439, 460, 465, 34, 447, 270, H. C. R. No. 11, correctly enrolled.

GLENNON,

Chairman.

House Bills Signed By Speaker.

Speaker, in presence of House, signed the following bills: 217, 6, 316, 453, 462, 195, 151, 98, 240, 77, 459, 439, 460, 465, 34, 447, 270 and H. J. R. No. 11.

Davis moved that a committee of three be appointed to wait upon the Governor and inform him that the House had about concluded its labors and was about to adjourn and to ask him if he had any further communications to submit to the House.

Second by Johnston.

Motion carried.

Speaker appointed Morgan, Davis and Farmin.

SENATE BILL NO. 152, BY WILLIAMS, read third time at length, section by section, for final action.

The question being, "Shall the bill pass?" roll was called with the following result:

Ayes—Allred, Arthur, Baldridge, Berry, Black, Bower, Bradley, Burrell, Ceaser, Davis, Eimers, Farmin, Featherstone, Glennon, Hanmer, Hendricks, Hyde, Jacobs, Johnston, Jones, Morgan, Nielsen, Nihart, Parker, Taylor, Terrell, Warnick, Mr. Speaker.

Nays—Bradford, Dunning, Eckles, Friend, Hutton, Johnson, Kerby, Leaf, Nelson, Sanborn, Smith, Sorenson, Stephens, Strode, Walker, Wilson.

Total number of votes, 43. Ayes, 28. Nays, 15. Absent, not voting, 16.

And so the bill passed, title was approved, and Senate Bill No. 152 was ordered returned to the Senate.

Davis moved, seconded by Walker, that a committee of three be appointed to inform the Senate that the House was about to adjourn and to ask if there was any more business upon which they expected the House to take action. -

Motion carried.

Speaker appointed Johnston, Hellekson and Hanmer.

The committee returned and reported that the Senate desired to have transmitted the enrolled bills which were to be transmitted to the Governor.

The Committee appointed to wait upon the Governor reported that the Governor had no more messages for the House.

Report of Enrolling Committee.

Mr. Speaker:

We, your Committee on Engrossed and Enrolled Bills, report House Bills Nos 370, 260, 392, 461, 458, 337, 149, 61, 255, 168, 202, 270, 382, 105, 269, 442, House Joint Resolution No. 33, House Bills Nos. 435, 464, 342, 317, 32, 233, 380, 357, 223, 213, 441, 329, 187 correctly enrolled.

GLENNON,
Chairman.

Resolution By Morgan.

Morgan offered the following resolution and moved its adoption:

Whereas, In the Journal of the House of Representatives, it appears that amendments to bills, joint resolution or memorial which has heretofore been amended, was read without it also appearing upon the Journal that it was the amended bill, joint resolution or memorial, that it was thus read, the Journal is hereby corrected to read so as to show that the said bill, joint resolution or memorial (as the case may be), was read as amended the several times. Owing to the lateness of the Session, this correction may not be made by interlineation in all cases where it is required to be made, but in each of the several places where the error appears, it is hereby corrected to read and to show as above set forth. The Rules of the House, as well as the Constitution of the State, require the printing of all bills, joint resolutions and memorials, and all amendments thereto. This has been the invariable practice of this House, and wherever the Journal fails to show such printing it has been through inadvertance and mistake, and the Journal is hereby corrected to show that the printing of such bills, joint resolutions and memorials and of all amendments thereto, before the vote thereon.

Seconded by Davis.

Motion carried.

House Bills Signed By Speaker.

Speaker, in the presence of the House, signed the following House Bills: 370, 260, 392, 461, 458, 337, 149, 61, 255, 168, 202, 270, 382, 105, 269, 442, 435, 464, 342, 317, 32, House Joint Resolution No. 33, House Bill Nos. 233, 380, 357, 223, 213, 441, 329, and 187.

Johnson moved that the hour of 12 o'clock having arrived, that the House adjourn sine die.

Seconded by Terrell.

Motion carried.

House thereupon stood adjourned sine die.

CHARLES D. STOREY,

JAMES H. WALLIS,

Chief Clerk.

Speaker.